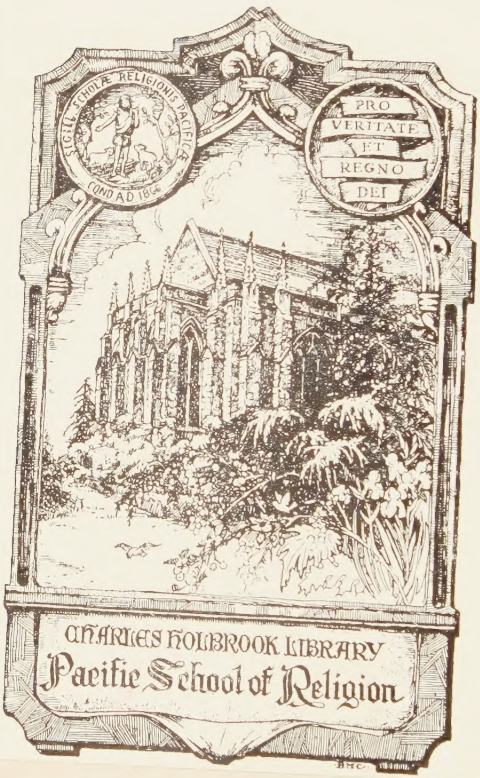

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PUBLICATIONS

OF THE

AMERICAN

JEWISH HISTORICAL SOCIETY

NUMBER 16

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1907

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AMERICAN JEWISH HISTORICAL SOCIETY.

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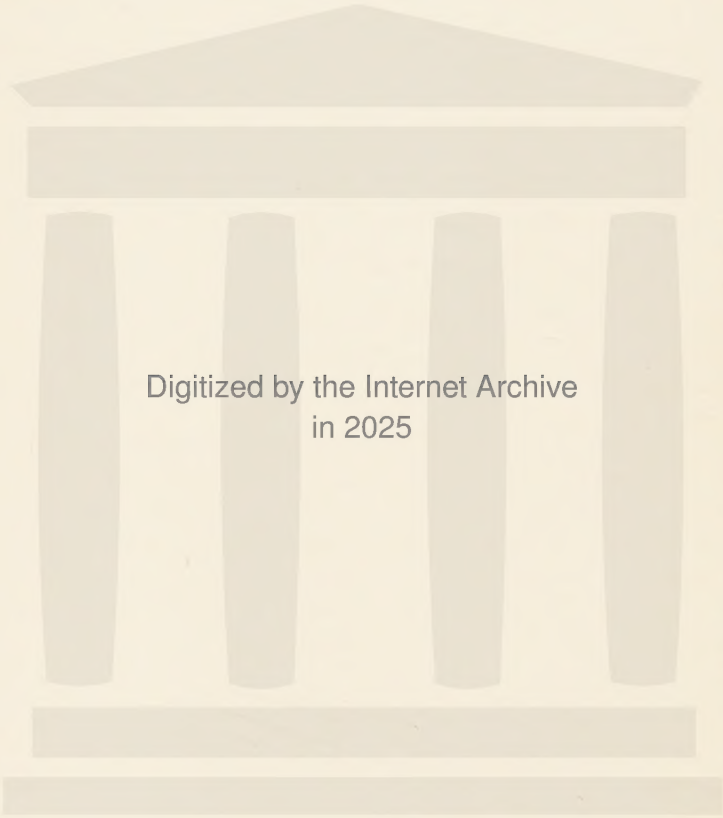
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OBJECTS.

The object of this Society is to collect and publish material bearing upon the history of America. It is known that Jews in Spain and Portugal lent no inconsiderable aid to the voyages that led to the discovery of America, that a few accompanied the earliest discoverers, and that Jews were among the first settlers on this continent, and in its adjacent islands. Considerable numbers saw service in the Colonial and Revolutionary wars, some of them with great distinction. Others contributed liberally to the Continental treasury, at critical periods, to aid in the establishment of Independence. Since the foundation of our government, Jews have played an active part in the political affairs of the country, and have been called upon to hold important public positions. The records of the achievements of these men will, when gathered together, prove of value and interest to the historian, and perchance cast light upon some obscure parts of the history of our country.

THE FOURTEENTH ANNUAL MEETING.

A meeting of the American Jewish Historical Society, being the fourteenth annual meeting, was called to order on Sunday, March 25, 1906, at 10.30 a. m., at the Hotel Belvedere, Baltimore, Md., President Dr. Cyrus Adler in the chair. In the absence of the Recording Secretary, Dr. Herbert Friedenwald, Rabbi A. Guttmacher, of Baltimore, was chosen to act as Secretary of the meeting.

Max J. Kohler, Esq., Corresponding Secretary, presented his annual report. It appeared from the same that the Society has upon its rolls 263 members, there being five honorary members, 29 corresponding members, four life members and 225 regular members. During the year the Society lost by death one honorary member and five regular members; four resigned and five were dropped for non-payment of dues; there was a net gain of ten members over the previous year.

Prof. Jacob H. Hollander, Chairman of the Publication Committee, reported that Volume XII of the Society's Publications was distributed immediately after the Cincinnati meeting; Volume XIII had been delayed, but was nearly ready to go to press, while Volume XIV, containing an account of the proceedings of the celebration of the 250th anniversary of the settlement of the Jews in the United States, was ready for distribution. It was further announced that Volume XV would contain Dr. Cyrus Adler's last year's address entitled "Jews in the Diplomatic Correspondence of the United States." Volume I of the Society's Publications had been reprinted, and Volume II would also be reprinted shortly.

Mr. Albert M. Friedenberg called attention to the fact that two years ago a committee had been appointed to report on the advisability of formulating a plan for indexing American

Jewish periodicals, which committee had submitted a report, and he suggested that the matter be taken up anew and actively pushed by a committee of five, with power to add to its number. Mr. Kohler seconded the motion, but stated that the whole matter had been referred to the Executive Council at a former meeting of the Society, and that the Council had not yet taken action; he suggested that the former committee had been closely divided on the question whether to include items of general Jewish interest instead of limiting the work to American Jewish historical items. He moved that the whole subject be referred to the Council for action, which motion was adopted.

The Treasurer, Hon. N. Taylor Phillips, submitted his annual report as follows:

REPORT OF TREASURER, OCTOBER 1, 1904, TO OCTOBER 1, 1905.

RECEIPTS.

Balance, Broadway Trust Co., to October 1, 1904	$2,417.43
Members' dues and back dues	1,130.00
Interest, current deposit, Broadway Trust Co., to July 1, 1905	82.38
	$3,629.81

PAYMENTS.

Friedenwald Co., printing Publications No. 12	$ 593.25
Friedenwald Co., reprinting Publications No. 1	104.50
A. M. Sakolski, services, Ass't Sec'y Publication Committee	150.00
Friedenwald Co., printing, binding, etc	87.30
Leon Hühner, expenses Curator	61.96
Expenses, annual meeting	54.70
Friedenwald Co., expressage and mailing Publications No. 12	51.54
Fire Insurance Premium	39.75
Contingent expenses	13.86
Max J. Kohler, expenses, Secretary	16.00
Friedenwald Co., printing "Contents of Publications"	11.10
C. S. Nathan, account books	6.60
Broadway Trust Co. Exchanges	2.30
A. M. Friedenberg, disbursements, indexing, etc	2.20
Balance with Treasurer, October 1, 1905	2,344.75
	$3,629.81

STATEMENT OF THE ASSETS OF THE SOCIETY, OCTOBER 1, 1905.

Balance, Broadway Trust Co., New York	$2,344.75
Present deposit in National Savings Bank of Albany	2,577.67
Capital, October 1, 1905	$4,922.42

The Treasurer's report was accepted and placed on file and referred to Benjamin N. Cardozo, Esq., and Lee Kohns, Esq., as an Auditing Committee. The Curator, Leon Hühner, Esq., read his annual report, which was referred to the Council and ordered printed. The Chair appointed a Committee on Nominations as follows: Mendes Cohen, Esq., M. R. Walter, Esq., and A. M. Friedenberg, Esq. Mr. Kohler gave notice of a proposed amendment to the Constitution to amend Article II, which now reads: "The objects (of the Society) shall be the collection, preservation, and publication of material having reference to the settlement and history of Jews on the American Continent" by adding at the end thereof the words "and Jewish history in general." He gave notice that he would call for action on this amendment at the next annual meeting pursuant to Article VI of the Constitution. Mr. Walter moved that should the Council act favorably upon Mr. Kohler's proposed amendment the amendment should be printed and the report thereon sent to members before the next annual meeting, which motion was adopted.

Mr. A. M. Friedenberg read his paper on "The Jews and American Law," and necrologies of deceased members were next submitted as follows: Of Simon A. Stern by Prof. M. Jastrow; of Moses A. Dropsie by David Sulzberger, Esq.; of Dr. M. Kayserling, an honorary member, by Dr. Joseph Jacobs; of Barnet Phillips by Isidor Lewi, Esq.; of Julius Rosenthal by Sigmund Zeisler, and of Adolph Moses by A. B. Seelerfreed, Esq.

Afternoon and evening sessions were also held. The Committee on Nominations reported at the afternoon session, recommending the re-election of the present officers to succeed themselves, with the exception of Prof. Morris Jastrow, who declined re-election; in his place Charles J. Cohen, Esq., of

Philadelphia, was named. The report was unanimously adopted, and the following were accordingly declared officers for the ensuing year: President, Dr. Cyrus Adler; Vice-Presidents, Hon. Simon W. Rosendale, Rev. Dr. B. Felsenthal, Prof. Charles Gross, Prof. Richard J. H. Gottheil; Corresponding Secretary, Max J. Kohler, Esq.; Recording Secretary, Dr. Herbert Friedenwald; Treasurer, Hon. N. Taylor Phillips; Curator, Leon Hühner, Esq.; Additional Members of the Executive Council, Hon. Mayer Sulzberger, Prof. Jacob H. Hollander, Hon. Simon Wolf, John Samuels, Esq., Rev. Dr. David Philipson, Rev. Henry Cohen, Prof. Morris Loeb, Dr. Joseph Jacobs, and Charles J. Cohen, Esq., and Hon. Oscar S. Straus as past President of the Society.

The President read a communication from the Maryland Historical Society offering its rooms for the use of the Society; upon motion of Mr. Phillips the thanks of the Society were tendered the Maryland Historical Society for its courtesy.

The Curator stated that through the efforts of Mr. George F. Parker the original manuscript of former President Grover Cleveland's address, delivered at Carnegie Hall on the occasion of the celebration of the 250th anniversary of the settlement of the Jews in the United States, was procured for the archives of the Society. Upon motion the thanks of the Society were expressed to Mr. Cleveland for his great kindness and to Mr. Parker for his courteous efforts.

It was announced that the Executive Council of the Society had elected to corresponding membership Dr. Gustav Karpeles, Rev. Hermann Gollancz, and Prof. J. Franklin Jameson.

The Chair read a letter from Dr. Herbert Friedenwald, touching upon some interesting items in the early settlement of Jews in the Bermudas.

Hon. N. Taylor Phillips presented to the Society a book containing transcripts of all the tombstones in the Cemetery of the Shearith Israel Congregation of New York.

The President, Dr. Cyrus Adler, delivered a brief address at the evening session.

Besides the paper read by Mr. Friedenberg, at the morning session, above referred to, on "The Jews and the American Law," the following papers were read:

J. D. Eisenstein: "American Contributions to the Palestine Charity Fund."

Max J. Kohler: "The New York Jewish Community, 1800-1860, I," "Jacob Philadelphia and His Petition to Frederick the Great Concerning a Proposed Treaty with the United States, 1783."

Leon Hühner, Esq.: "The Struggle for Religious Liberty in North Carolina."

Joseph Lebowich: "The Jew as Presented in American Literature."

Leon Hühner, Esq.: "Some Unpublished Letters of Haym Salomon."

David S. Blondheim, Esq.: "A Note on James Joseph Sylvester."

The following papers were read by title:

Dr. Lee K. Frankel: "History of American Jewish Charitable Activity."

Prof. Richard J. H. Gottheil: "Jewish Scholarship in America."

Miss Elvira N. Solis: "Notes on Jews, Members of the New York Stock Exchange, 1792-1869."

CURATOR'S REPORT.

Mr. Chairman, Ladies and Gentlemen:

The collections of the Society are deposited in handsome quarters, in the fire-proof building of the Jewish Theological Seminary of New York City.

These collections now consist of about 400 bound volumes, several hundred pamphlets, and a number of valuable prints and manuscripts.

Many of our books are scarce and valuable, comprising such works, as the Histories of the Inquisition in Lima, Chili, Cartagena, and the Philippines, the publications of various historical societies and similar works.

In making purchases your curator has added only such works as relate in some way to American Jewish History and has refrained from adding works that are outside the scope of the Society's researches. I make this statement so that you may consider the advisability of making our collection of books a more general one; it having been urged that the Society's library ought also possess books relating to the entire range of Jewish history, instead of limiting the field as heretofore.

Our collection of prints and manuscripts, though small, contains many items of more than ordinary interest. An account of these was given at the meeting held last year in Cincinnati, but I venture to give a summary herein, so that the friends of the Society may have some idea of what we possess.

Among our manuscripts are a number of Dutch Documents of the eighteenth century, relating to the Jews of Curaçao, the original minutes of the trials of Miguel, and of Francesco

Hernandez De Almeida, by the Inquisition of Mexico, dating back to 1591, an original letter of protest, dated 1658 by the Dutch States General to the King of Spain, concerning Brazilian Jewish refugees; while among more modern items we possess the original manuscript of Henry Ward Beecher's famous address on the Jews in connection with the Saratoga incident in 1877, and of President Cleveland's address on the Kishineff Massacre.

One of the most valuable items in this connection was the gift of Mr. Mendes Cohen, of Baltimore, consisting of some manuscript notes from information furnished by a Revolutionary Patriot and relating to the Jewish members of Captain Lushington's Company in the American Revolution.

Through the courtesy of the publishers of the Jewish Encyclopedia your Curator obtained for the Society at a nominal figure a number of photographs of items of Jewish interest.

During the year a number of interesting purchases have been made; among others, a set of the publications of the Anglo-Jewish Historical Exhibition.

The thanks of the Society are due to the various learned societies who have generously sent us their publications.

Several gifts have come from members and friends, the most valuable of these is a piece of tapestry, the work of a Portuguese Jewess, during the Inquisition, four centuries ago. This was used at one time for ceremonial purposes in connection with admitting children into the Covenant; the last time it was so used being in the case of Mordecai M. Noah in 1786. This is the gift of Miss Josephine Pesoa of Philadelphia.

Another valuable accession came through the courtesy of Mr. George F. Parker, and is the original manuscript of Hon. Grover Cleveland's address at Carnegie Hall on the occasion of the 250th Anniversary Celebration of the Settlement of the Jews in the United States. This is stated to be one of the finest autograph specimens of Mr. Cleveland's writing. Gifts have also been received from Mr. Julius

Rosenthal, of Chicago; Rev. D. A. Guttmacher, of Baltimore; Mr. J. B. Langstadter, of Philadelphia; Mr. Max J. Kohler, Mr. A. M. Friedenberg, and Prof. Gottheil, of New York.

The executive committee of the 250th Anniversary Celebration, I am informed, will give the Society the original manuscripts of the addresses, telegrams, and other items of interest in connection therewith.

A number of books relating to American Jewish History and an interesting manuscript letter of the late Major Noah are the gift of your Curator.

It is very desirable that the Society obtain copies of the various Jewish Periodicals of the past, the "Occident," "Sinai," the "Israelite" and others, for from these will hereafter be gleaned the history of the Jews in America durin the earlier portion of the nineteenth century. Unfortunately, these items are quite difficult to find, and the fact is mentioned here to bring it to the notice of our members and friends.

In order to increase both the usefulness of the Society's Collections to such as may be interested, and at the same time for the general use of our members, I venture to suggest that the Card Catalogue prepared by your Curator be transcribed and printed in pamphlet form so that all interested may know what the Society possesses.

As already stated, the Society is collecting along the entire range of the History of the Jews in America; books, manuscripts, portraits, and relics. No other society is collecting material of this character, and every effort should therefore be made by our members and friends to secure for the Society such items wherever possible.

As was pointed out in last year's report, I beg again to bring to your attention the fact that much historical material of interest to us is still in the possession of members of old American Jewish families, while a considerable portion of the most valuable material, pictures, books, letters and other manuscript data, of incalculable interest to the historian, have

been lost either through fire or accident, and more generally even by passing into the hands of individuals or families who had drifted away from Jewish associations, and had not the slightest interest in the material they possessed. While therefore it is still possible, the effort should be made by our members and friends to secure such material for our collections, so that the material itself may be preserved and rendered useful, and that our Society may ultimately become the recognized custodian of all available material relating to the History of the Jews in America.

Respectfully submitted,

LEON HÜHNER, *Curator.*

CONTENTS.

PAGE

Address of the President. *Dr. Cyrus Adler* 1
Some Further Notes on the History of the Jews in Surinam. *Rev. P. A Hilfman* 7
Some Jewish Factors in the Settlement of the West. *Max J. Kohler*, A M., LL. B 23
The Struggle for Religious Liberty in North Carolina, with Special Reference to the Jews. *Leon Hühner*, M. A., LL. B. 37
Jacob Philadelphia, Mystic and Physicist. *Julius F. Sachse.* 73
Jacob Philadelphia and Frederick The Great. *Prof. Dr. Ludwig Geiger* 85
An Early Jewish Colony in Western Guiana, 1658-1666: And its Relation to the Jews in Surinam, Cayenne and Tobago. *Samuel Oppenheim* 95
Notes 187
Necrology 193
Index 209
Constitution 219
List of Members 221

ADDRESS OF THE PRESIDENT,

DR. CYRUS ADLER,

To the Members and Friends of the American Jewish Historical Society:

LADIES AND GENTLEMEN:—I am glad to be able to welcome you to the fourteenth annual meeting of the Society, the second held in the city of Baltimore. It is nearly ten years since this Society last assembled in your city, our first gathering here being in the month of January, 1897. Many of you will no doubt recall that our twelfth annual meeting was set for Baltimore, on the 11th and 12th of February, 1904, so immediately following the great fire, that the Society was constrained to cancel the meeting here and to substitute one in New York in its stead. As a virtual promise had been given to hold the following session in Cincinnati, the present may be considered the delayed meeting of 1904. Those of us who have had the opportunity to look about your city cannot but congratulate the citizens of Baltimore upon the energy that has been displayed in recovering from your great disaster.

Few, if any, of the States of the Union, whether belonging to the original colonies or to the newer creations, have had the history of their Jewish organizations and people so fully described in our publications and elsewhere as has the State of Maryland, and in none other is the story so interesting. Maryland toleration it would seem was extended exclusively to Christian sects, or I should rather say to persons believing in the divinity of Jesus Christ, denial of which belief was a capital offence. The records which have been unearthed relating to Dr. Jacob Lumbrozo form in many ways one of the

most interesting narratives in American Jewish history, and cast a decidedly important light upon the history of this State, for they show that because of a non-belief in the essential dogma of Christianity, a physician who was established in this colony as early as January 24, 1656, who had a plantation, and practiced his useful profession, was arrested on the charge of blasphemy; that he escaped trial by reason of a general amnesty, and thereafter enjoyed all the privileges of a native or naturalized subject, and was able to live in peace and amass considerable wealth, both real and personal.

Of even greater interest and importance were the disqualifications to which Jews were subjected both in the Colony of Maryland and in the State which succeeded it, and the remarkable and successful struggle which was entered upon to expunge from your statute books every vestige of intolerance, and indeed of tolerance, and substitute therefor the true American doctrine of equality for all before the law. It is no doubt well known to most of you that the Colony of Maryland, while permitting some political recognition to all of its citizens, required that any one holding an office should take oath "upon the true faith of a Christian"; that the Constitution of 1776 required that an office-holder should subscribe to a declaration of his belief in the Christian religion, and that an agitation which lasted from 1797 to 1825 was required until the disabilities of Jews with regard to political office were entirely wiped out. The struggle which resulted in this happy result was brought to a successful conclusion through the efforts of Solomon Etting and Bernard Gratz, but above all through the determined and systematic work of the members of the Cohen family, one of whose most distinguished representatives has been an officer of this Society and is still a member and with us, and has further shown his interest in general historical research through a long and honorable membership in the Maryland Historical Society, of which he is now the president.

Along with the name of Mendes Cohen, who even before the existence of this Society made some of the facts concerning your history known, I must mention Professor J. H. Hollander, of Johns Hopkins University, who has in the publications of this Society and elsewhere, placed in permanent and accurate form a most careful record of the history of the Jews of this city and of this State.

There is yet another local matter which is deserving of mention, if indeed Johns Hopkins University may be said to be a local institution, for it is rather a national, indeed an international, seat of learning. Our small Executive Council, numbering in all seventeen persons, includes three graduates of this University, and a fourth, who while not remaining for his degree, spent several years within its walls—a rather remarkable showing when the fact is considered that we draw our membership from all over the United States, and that the United States has innumerable colleges and universities. From no one did the present speaker in his efforts to found this Society more than sixteen years ago, receive heartier encouragement or more substantial aid than from the late Professor Herbert B. Adams, whose assistance took the shape also of attendance upon our sessions, and the contribution of a paper to our publications. All Johns Hopkins men and students of history everywhere honor his memory.

No State in the Union has had so careful a statistical study made of its Jewish population as the State of Maryland, due initially to the suggestion of Rabbi J. L. Stern, formerly of Cumberland, and to the earnest work of Dr. George E. Barnett, of Johns Hopkins University, whose paper on "The Jewish Population of Maryland," in the American Jewish Year-Book for 5663, and whose more general contribution on "The Method of Determining the Jewish Population of Large Cities of the United States," in No. 10 of our publications, offer a model for similar statistical studies throughout this country, which deserves more imitation than it has received.

There were two events during the past year of great importance to this Society, and reciprocally to which this Society rendered valuable service. The celebration of the 250th anniversary of the settlement of the Jews in the United States, which was held on Thanksgiving Day in the City of New York, and the celebrations which were held at the same time all over the United States, had beside the historical interest attached to such meetings participated in by some of the most distinguished citizens of the United States, a further value in the re-awakening to historical studies of many of our people. Those who participated in the ceremonies, and those who were unable to do so, will equally be the gainers by the beautiful volume issued by the Executive Committee in charge of this celebration. The medal to be struck will record in museums and elsewhere this event, and while the deplorable massacres of our co-religionists in Russia put an end to the attempt to erect a monument, I am able to hold out to you the expectation that there will be published in the future as a further souvenir of the occasion, a brief history of the settlement of the Jews on the American continent.

The completion of the Jewish Encyclopedia is also of high importance to the work of the Society, for it places in accessible encyclopedic and popular form on the shelves of many libraries and in the houses of many private individuals in the United States and elsewhere, the results of the labors of members of this Society, either through their own contributions to the encyclopedia, or through the contributions of others based largely upon our publications, though in many cases supplemented by additional original investigations.

I believe that I am well within the mark in making the statement that the addresses delivered at these various celebrations, and the articles scattered throughout the encyclopedia, would have been well-nigh impossible had it not been for the work of this Society.

Our losses this year have been unusually heavy. Dr. M.

Kayserling, our first honorary member, whose researches on the history of the Jews in Spain and Portugal, and incidentally of the Spanish and Portuguese possessions, laid the foundation of American Jewish history; Simon A. Stern, Moses A. Dropsie, Barnett Philips, and Julius Rosenthal have all passed away. Their labors have been fittingly though briefly characterized by members of the Society.

The collections of the Society, both in books, manuscripts, and other objects, are growing, under the patient care of Mr. Leon Hühner, whose report has been presented to you. I cannot urge too strongly upon the members the desirability of sending to him, in the fire-proof quarters which the Society now has, due to the generosity of the Jewish Theological Seminary of America, portraits, manuscripts, pamphlets, and books which bear upon the history of the Jews in America.

When this Society was founded, in New York City in 1892, it was the opinion of many that a few years work and a half-dozen volumes would exhaust all the available material on our subject. We have twelve volumes completed and three in press, and those most conversant with the subject are now of the opinion that the work has only begun. What are to be the future lines of the work of this Society? I know that it is dangerous to essay the rôle of a fortune teller, and unpleasant to act in the capacity of an adviser, yet it seems to me that upon certain points we may all be agreed. Accurate general history can only be written upon the basis of innumerable accurate local histories, and local histories in turn can only be prepared if the records of local institutions are carefully preserved and made accessible to proper students. Within the year two local histories have been issued, "The Jews of Iowa," by Rabbi Simon Glazer, and "The Jews of South Carolina," by Dr. Barnett A. Elzas. These two and the earlier one of Henry S. Morais on Philadelphia, point the way to future useful volumes, the result of the painstaking work of the local historian. I see no reason why this Society might

not very well enlarge its policy to the printing and publication of local histories of reasonable size written in the true historical spirit, always, of course, in conjunction with those locally interested, who might demand a larger edition than this Society produces, and might relatively share in the cost of production.

It is not my purpose to impose upon this gathering a lengthy address. At the last annual meeting in Cincinnati I occupied the entire evening session with a paper upon "The Jews in the Diplomatic Correspondence of the United States," which turned out to be so lengthy a paper that it could not be printed as part of the volume now in press, and will be issued as an independent volume.

In concluding these words I wish to express my acknowledgments to the local committee for the ability they have displayed in making the arrangements for this meeting, to the Maryland Historical Society for the courtesies which they have tendered this Society, and to all who have attended our sessions, for the patient hearing they have given our work.

SOME FURTHER NOTES ON THE HISTORY OF THE JEWS IN SURINAM.

By Rev. P. A. Hilfman, Paramaribo, Surinam.

In the Chronological Sketch of the History of the Jews in Surinam, appearing in Number 4 of the Publications of the American Jewish Historical Society, the compilers say: "The literature of Surinam is quite extensive." Although it cannot be contradicted, still this surely does not refer to the History of the Jews in Surinam. Certain authors may, perhaps, have devoted some study to the History of the Colony, but about the Jews one seldom finds anything else mentioned, but what has been related in "Essai Historique sur la Colonie de Surinam," which appeared in 1783, and of which I hope ere long to publish an English translation. This work is quoted almost literally in all other historical works, so that it does not pay for the trouble of investigating other sources. This is the conclusion I have come to after having gone through a literature of about 120 periodicals and books. Where other works make any mention of the Jews, they always bear marks of great partiality and should, therefore, as a rule be considered unreliable. Among the latest works regarding the Colony, a principal place is occupied by "Geschiedenis van Suriname door J. Wolbers," Amsterdam, 1861, a volume of about 850 pages which contains many excellent appendices. All that is contained in this work has for the greater part been taken from the above cited "Essai," and where not, the author shows so much prejudice that one had better not attach too much weight to what he says.

Books which had been published before the appearance of the "Essai" generally contained so little that they are not worth quoting.

Jewish authors, exclusive of those of said "Essai" and of the "Historische Proeve," etc.,[1] (which latter is a translation of the "Essai," Amsterdam en Harlingen, 1791, and second edition Amsterdam, 1802, under the title "Geschied- en Handelkundig tafereel der Bat. W. Ind. Coloniën"), which treated of the history of the Jews are scarcely found, and only repeat what already has been said. From the hand of David J. C. Nassy, author of the "Essai," was published, "Lettre Politico-Theologico-Morale sur les Juifs," etc. Paramaribo, Soulage, Jr., 1798 (afterwards translated into Dutch), but as a matter of course one need not look out for new indications as this work in general does not deal with history.

Other writings of Jewish authors are not numerous. During the 17th or 18th century the above named were the only authors, and of later date are known to me: E. v. Emden, Gebrs. v. Praag, S. B. Bibaz, Bueno de Mesquita, and others, but their publications were nothing else than essays on jurisprudence, etc.

Nor can we find any information in the "Surinaamsche Almanakken" (Surinam Calendars). The oldest dates from 1792, but therein is found little more than a list of officials and estates.

Daily papers and journals were scarcely published; the oldest known to me is "De Surinaamsche Nieuwsverteller" (Surinam News-teller), 1789-1793, which was published once a week, every Thursday. Some very few numbers of this paper are occasionally found.

Jewish printers, worthy of that name, were unknown here in former days. From the beginnings of the last century there is known to me, J. Morpurgo, who also possessed a letter-box with a set of Hebrew characters. The last member of this firm has just retired from business.

The only historical sources which still remain are in my

[1] The translators of the "Historische Proeve" are: M. P. de Leon, S. H. de la Parra, D. C. Nassy, and S. W. Brandon.

opinion, except some valuable pamphlets, which will be referred to later, the Government Archives and those of my Community; the former have already been investigated by Mr. Roos, and the latter have had my serious attention during the last years. I have already had the pleasure of forwarding to Mr. Max J. Kohler a catalogue of a part of what I found (see Appendix I), which I expect soon to continue. The time to make public what these archives contain has not yet come, but as soon as I shall have gathered more connected information I shall certainly do so.

The archives offer almost insurmountable difficulties. Most of the oldest papers are in a deplorable state, either through climate or on account of the careless way that they were kept (this has now been changed for the better). The languages used in nearly all documents are the Spanish and the Portuguese, very often confusedly in one and the same document. Moreover, very often expressions used are from the so-called Negro-English (Negro dialect, a mixture of all languages) which offer to the uninitiated a source of constant worry. Taking further into consideration that the mode of writing these languages which had been adopted had nothing in common with any grammatical notion, but was simply as the words were pronounced to the ear, one will better understand how difficult it is to go through them.

1639. The oldest indication in the archives of the Dutch-Portuguese Jews shows that the Jews had already settled in Surinam in this year.

1643. As far as can be traced in this year the first marriage was celebrated between Haham Hm Meatob and Jeudit Meatob (the first Haham in the colony).

1652. Lord Willoughby, arriving for the second time in Surinam, brings with him several Jewish families from England.

1659. September 12. The Jews are permitted (under patronage of David Nassy) to found a colony on the island of Cayenne. According to the tenor of the 18 articles contained in the Letters Patent of that date, all the land over which they had exercised the right of possession within four years from that

date, will become their property; and they will be allowed to administer justice according to the Jewish usages and customs.

1660. One hundred and fifty-two Jews from Livorno settle in Cayenne. The thanksgiving pronounced for their safe arrival may be found in the work of D. Miguel Debarrios.

1664. May 15. The French take possession of Cayenne and all the Jews leave Cayenne for Surinam under leadership of David Nassy.

1667. The Dutch take with them a booty of more than 400,000 guilders. Joh. Hermans, an English Captain, arrives in the Colony in times of peace with 7 men-of-war and plunders many estates, through which the Jews suffered most.

1670. Most of the Jews who arrived in the Colony with Lord Willoughby, leave same again with the vessels of Henry Willoughby. Two hundred persons in all leave the Colony in this way.

1672. The Jews build a synagogue on the land belonging to the families Dacosta and Solis near the spot called Torarica. No traces thereof exist.

1674. April. To the daughters of J. Brandon a dowry is given (to each one of them) of 8000 pounds of sugar.

1677. Ten Jewish families leave the Colony together with their slaves, numbering in all 322 persons.

An asylum for the education of children is founded in a house belonging to S. Nassy and afterwards presented to the community by him.

1680. May 6. The Jews under Nassy, Meza, and Aboab lodge remonstrances against certain acts of the Government.

1682. (and not 1680 as F. & G. have it) Samuel Nassy transfers the right of possession of the Jewish Savanna to the Community.

Ab. Nunes admitted as a sworn land-surveyor.

1685. Sam Nassy bestows 25 acres of land around the synagogue on the Savanna (this synagogue was not built in this year, but enlarged and much embellished. The information on this point is somewhat confused).

1686. August 9. From Holland the tiding arrives that the law on Sunday-keeping does not relate to the Jews.

1688. Captain Nassy is the first to arrive in town with his men after the assault on Governor van Sommelsdyck. The two vessels "Sara" and "Samuel" belonging to said Nassy are manned in order to pursue the rifiers.

1689. At the assault of the Frenchman Du Casse the defence of the principal fortress in the Colony (Zeelandia) is entrusted to Captain Nassy with 84 Jewish citizens.

1691. Nassy bestows 25 acres of land.

1694. S. Nassy settles in Holland. About this time the number of the Portuguese Jewish families, exclusive of some 50 unmarried persons, number 92, and about 10 or 12 German families (in all about 570 persons). They possess more than 40 estates and 9000 slaves. They contribute as a gift 25,905 pounds of sugar for the building of a hospital and agree to support 12 soldiers and one adjutant.

1695. Governor van Scherphuisen prohibits the members of the Government of the Jewish Nation calling themselves "Regenten" of the Jewish Nation, but only "Regenten" of the *Synagogue.* The Sunday laws brought into force against them (but later repealed).

1696. The "Regenten" are informed that they will have to defend themselves about a letter written by Samuel Nassy and Baron van Belmonte to the Government of the Colony in Holland.

1704. May 3 (and not 1703 as F. & G. have it). Marriages contracted solely according to the Jewish tenets are no more recognized as legal. About this time the German Jews have so increased that they count half the number of the Portuguese Jews.

1707. The Jews allow Governor W. de Goyer 12 capable carpenters to build his house.

1712. The French take the Jewish Savanna. The Synagogue is desecrated by them and a pig killed on the "Theba."

1719. Governor Coutier receives a present of two cows and 50 casks of sugar. Commn Raineval receives 10 casks of sugar and 24 slaves. Commander de Vries 24 slaves (1731).

1731. Captain Nassy is accused of misconduct on an expedition against the Bush-Negroes, but is acquitted.

1734. The German Jews request to form a separate community, which is allowed. They were, however, prohibited to own any possession on the Jewish Savanna, nor were they allowed to have their own jurisdiction.

1747. I. Carrilho, a very important gentleman, a Captain of the Jewish citizens, joins the enemies of Governor Mauricius.

1751. Serious disputes in the Portuguese Community. Isaac Nassy, Debarrios, and Dacosta depart for Holland to protect there the interests of parties.

1754. May 27. The "Ascamoth" are revised.
1761. The Jews under Sal. de la Parra are very heartily received in the Bush-Negro village.
1767. The slaves of Jews living outside Paramaribo are not allowed to come in town.
1768. The intention to build a Ghetto for the Jews in Paramaribo is prohibited.
1775. The Jews are forbidden to visit a theatre erected by some amateurs.
1781. Dr. d'Anavia, a zealous member of the Society for the promotion of Natural History, deceased.
1784. The Jewish Theatre enlarged and embellished.
1791. The Portuguese Jews number 834 and the German Jews 477, besides 100 Jewish mulattoes, constituting in all more than one-third of the white population of the Colony.

APPENDIX I.

PROVISIONAL CATALOGUE OF THE OLD RECORDS OF THE DUTCH-PORTUGUESE JEWISH CONGREGATION IN PARAMARIBO.

By P. A. Hilfman, Rabbi of the Dutch-Portuguese Jewish Congregation, Surinam.

FIRST PART.

Inventory and Catalogue of Books and Papers of the Archives of the Dutch-Portuguese Jewish Congregation, which are now found at Paramaribo.

La. A. This inventory.
B. Some inventories of papers of which a part were at the Joden-Savane, and of which another part have been brought over to Paramaribo, which latter papers are provisionally published in this inventory.
C. Two books containing an original and a copy of the "recueil der previlegien" (recueil of the privileges) granted to the Portuguese Nation.
D. Letter-book from March 29, 1780, to September 28, 1792.
E. A register of transfers of land and lots situated on the Savane from September, 1773 to 1782, in which are to be found some publications.
F. Two scroll-books.
G. Three books containing "the old Escamot" in Portuguese as well as in ancient Dutch.
H. The new escamot.

I. A book containing minutes up to the year 5467 or 1706.
A book containing minutes from the year 5421 up to 5500.
A book containing minutes from 7 Tisri, 5492, up to 5506 or 1745.
A book containing minutes from October 20, 1751, up to February 21, 1769.
A book containing minutes from February 22, 1769, up to April, 1770.
A book containing minutes from March 13, 1779, up to May 8, 1780.
A book containing minutes from June 12, 1780, up to October, 1788.
A book containing minutes from March 20, 1781, up to July 12, 1790.
A book containing minutes from July 13, 1790, up to August 11, 1799.
A book containing minutes from October 16, 1799, up to March 19, 1812.
A book containing minutes from December 1, 1788, up to May 17, 1818.
A book containing minutes from April 11, 1812, up to March 30, 1817.
A book containing minutes from April 9, 1817, up to December 20, 1818.
A book containing minutes from December 29, 1818, up to September 14, 1820.
A book containing minutes from September 18, 1820, up to July 17, 1825.
A book containing minutes from July 13, 1825, up to August 18, 1830.
A book containing minutes from September 5, 1830, up to December 20, 1840.
A book containing minutes from January 7, 1841, up to July 13, 1847.
A book containing minutes from July 4, 1847, up to April 2, 1857.
A book containing minutes from April 29, 1855 (from the Junta).
A book containing minutes of meetings of Parnassim from April 13, 1857, up to . . . . . 1857.
A book containing minutes of the combined meetings of both Jewish Congregations from May 30, 1857.

J. *A boo*
A Ketuba-book from 5403.
A Ketuba-book from 1737 up to 1740.
A Ketuba-book from 1751 up to 1780.
A Ketuba-book from 1777 up to 1783.
A Ketuba-book from 1783 up to 1792.
A Ketuba-book from 1793 up to 1800.
A Ketuba-book from 1800 up to 1812.
A Ketuba-book from 1812 up to 1825.
A Ketuba-book from 1825 up to 1836.
A Ketuba-book from 1836 up to 1853.
A parcel containing twelve separate ketubas from September 7, 1853, up to 1858.

K. A book containing writs from November 18, 1806, to November 17, 1824.

L. An index of tendered registers and other petitions from January 20, 1788, up to March 26, 1792.

M. A parcel containing copies of the statutes which have been sent to Europe to the chief-board for approbation, inclusive of papers appertaining thereto, and other documents.

N. A register of births of very ancient dates.
A register of births from 1777.
A register of deaths from 1777.

O. A new register of births and deaths, 1857.
A parcel with several sealed letters, libels, lampoons, and impeachments, with prohibition of the Junta in the years 1744 up to 1768, that they should be opened only in case of the highest necessity; these letters had probably been sealed with the intention to doom their contents to oblivion (contents are known to me).

P. A parcel containing letters and extracts, mandates, notifications, and other documents from the "Heeren van de Societeit," from the Governor, and from the "Hof van Policie," from 1686 up to 1713.

Q. A parcel containing copies of resolutions and of citations from the Escamot and privileges having done service in various proceedings in law from 5446 up to 5500 (1744).

R. A parcel of copies of letters written by the vestry to the authorities of Surinam, in Surinam as well as in Europe, from 1690-1768.

S. Two parcels containing papers regarding the difference between Rachel Turgeman and her husband and Jb. Rods. Campos and his wife Sarah d'Aguilar, 1772.

T. A Parcel of letters regarding the affair between Debora de Medina and her husband Mos. Bo. de Mesquita, 1776.

U. A parcel containing advices given by different Hahamim in Europe as well as in the colony of Surinam besides some proposals from the vestry to the Junta, 1758-1777.

V. A parcel containing papers regarding the affair between the vestry and the elders Abm. and Bn. Hz. d Costa, 1779.

W. A parcel of papers regarding the action of the vestry Co. Rn. M. Meza, besides notes and remarks from his Excellency the Governor, 1779.

X. A parcel of papers regarding the banishment of several persons out of the colony, 1780.

Y. A parcel containing addresses from the vestry to the Governors and "Raden" (boards) and reply to said vestry, 1741 up to 1780.

Z. A parcel of extracts and resolutions from their "Hoog Mogende" and notifications thereof to the church members, 1688 to 1781.

AA. A parcel containing publications and warnings from the Governors of this colony to the members of the community to promptly obey the orders of the vestry, besides some copies of letters addressed to the "Societeit," 1782-1784.

BB. Papers regarding the complaint of the vestry against "de Heer Neys" of the military post at the Joden-Savane, 1788.

CC. A parcel of letter copies addressed to "de Heeren van de Directie."

DD. A parcel of papers regarding mandates, notes, and remarks, resolutions, etc., from "Directeuren" and authorities of Surinam and from Governors and the Court, 1638-1789.

EE. A parcel of extract notes from "Haar Hoog Mogende" and from Governors and the Court, 1704-1791.

FF. Memorials and other papers regarding the investigation in re the dismissal of the "Weesmeester" (official charged with the administration of moneys belonging to orphans), J. H. del Castilho to lay down his functions, 1791.

GG. A parcel of letters and other documents regarding the possibility of reviving the Hebra "Hets Haim," 1796.

HH. A parcel of papers containing extracts from the register of the privileges and Escamot regarding the appointment of Mord. de la Parra as receiver general of the community, 1807.

II. A parcel of petitions and memorials directed to the vestry, A° 1811, and a parcel of letters and documents referring to the minutes of 1811.

KK. A parcel containing a list of subscriptions among the members of the community who have contributed in behalf of Gedalia Elitcntia (a rabbi), 1812.

LL. A parcel of petitions and memorials addressed to the vestry by various people, 1812.

MM. A parcel containing reports of different committees regarding examination of accounts, 1812.

NN. A parcel containing originals and copies of sentences and judgments and judgments by default having served before the tribunal in the Savane, 1813.

OO. A parcel containing letters and other documents discussed in the minutes of 1813 and 1814.

PP. A parcel containing petitions and memorials addressed to the Government, 1813 and 1814.

QQ. A parcel containing the originals and copies of sentences and judgments by default having served before the tribunal at the Savane, 1814.

RR. A parcel as under La QQ A° 1815.

SS. A parcel as under La PP A° 1815.

TT. A parcel containing letters and other documents discussed in the minutes of A° 1814, 1815, and 1816.

UU. A parcel of discussions and dispositions of Governor and the "Hof van Policie" A° 1811 and 1816.

VV. A parcel of letters and other documents discussed in the minutes of 1817.

WW. A parcel containing requests, memorials, and other documents, besides resolutions of His Excellency in re the vestry contra Jos. Lyon and Nathan Lyons

A° 1817 and a ditto parcel like aforementioned relating to the procedures of Aron L. Fonseca contra Aron Jediedja da Costa, 1817.

XX. A parcel as under La QQ A° 1817.

YY. A parcel containing letters from four members of vestry written to the first parnas dated January 19, 1817.

ZZ. A parcel as under La PP discussed in the minutes of 1818.

AAA. A parcel as under La OO discussed in the minutes of 1818.

BBB. A parcel containing letters and convocations, 1816 up to 1818.

CCC. A parcel containing some minutes of the combined meetings of both Jewish communities, 1816-1818.

DDD. A parcel containing documents referring to the dispute between Adj. J. Fernandes and the Hazan J. H. B. Louzada, besides decisions from the Rabbi at Amsterdam in regard to the pronunciation of some words in the Holy Scrolls, 1816-1818.

EEE. A parcel of memorials to His Excellency and other documents relating to the refusal of the members of the congregation to act as nightguards on the Sabbath and other Holydays, 1816-1818.

FFF. A parcel containing rough drafts of minutes, 1816-1819.

GGG. Two parcels containing petitions and letters discussed in the minutes of 1819.

HHH. A parcel containing an old book for annotations of offers and a receipt-book.

III. A parcel of petitions and memorials of church members to the vestry, 1820.

KKK. A parcel containing papers relating to the collecting of charities by members of the congregation for the indigents through the inundations of Holland, 1820.

LLL. A parcel containing petitions and memorials and one containing letters and other documents discussed in the minutes of 1820 and 1821.

MMM. Two parcels containing statements of members of the congregation who have sustained losses through the fire of 1821 and have requested to deal in the collection, 1821-1822.

NNN. A parcel containing documents in re the vestry contract Mrs. Levi-Hart, widow, and Mrs. Elias da Fonseca, widow, inclusive petitions and decision of the Governor A. de Veer, 1822.

OOO. Two parcels draft-minutes, 1822, 1823, and 1824.

PPP. Two parcels containing letters and other documents discussed in the minutes A° 1822, 1823, and 1824.

QQQ. Two parcels containing copies of sentences passed by the court of justice at the Savane A° 1818 up to 1823.

RRR. A parcel containing documents relating to the case of M. H. Cotinoir, B. H. da Costa and others at the Savane, 1824.

SSS. A parcel relating to the suspension of the first regent Bn. A. Cohen and his dismissal.

TTT. A parcel of letters and other documents discussed in the minutes of A° 1824 and 1825.

UUU. A parcel containing annotations and extracts from Governors and the "Hof van Policie," 1817 up to 1825.

VVV. A parcel containing statements and other papers regarding masonry and carpenter's work done to the synagogue on the Savane, 1825.

WWW. Two parcels of petitions and letters by different people addressed to the vestry, 1822 up to 1826.

XXX. A parcel containing publications and proclamations from 1825 up to 1827, and a parcel containing statements of births and deaths of people belonging to this congregation from 1825 up to 1828.

YYY. A parcel of letters and other documents discussed in the minutes of 1827 and 1828.

ZZZ. Two parcels of petitions and letters discussed in the minutes of 1827, 1828, and 1829.

AAAA. A parcel containing copies of letters and other petitions addressed to the King, the Governor, to the chief-board and other influential bodies and persons in Europe as well as in Surinam from 1813 up to 1829.

BBBB. A parcel containing convocations and reports of sextons from 1811 up to 1830.

CCCC. A parcel containing extracts and annotations from Governor and the "Hof van Police" from 1818, 1824, and 1830.

DDDD. A parcel of memorials and supplements addressed to the board of aldermen, besides the dispositions taken by them, 1830 and 1831.

EEEE. Letters and other documents discussed in the minutes of the years 1830, 1831, 1832, 1833, and 1834.

FFFF. A parcel of draft-minutes of January 15, 1832, up to November 13, 1836.

GGGG. A parcel of cash-accounts of different "former Weesmeester" up to the year 1838.

HHHH. Letters of parents who desire that their children should be placed at the school of B. C. Carrillon, 1839.

IIII. A parcel containing copies of letters and other petitions, besides the replies of the vestry to various Governors, Authorities, and Notables in Europe, as well as in the colony up to 1844.

KKKK. A parcel containing letters of the vestry at Caracas begging financial support for the erection of a cemetery, 1845.

LLLL. A parcel containing remarks and addresses on the accounts of various receives.

MMMM. Two parcels of letters from A. C. and B. C. Carillon, the former soliciting to be nominated a Rabbi and the latter as a Hazan, besides a sermon of A. C. Carillon and some advices (decisions) regarding Tis-a-beab.

NNNN. Registers of burying places of the old Bet-Haïm.

OOOO. Four parcels containing as follows:

No. 1. Some extracts for the intercessors at the Savane.

No. 2 Documents relating to the lawsuit of Ik da Pina Ca A. J. da Costa.

No. 3. Various advices (decisions) from Messrs. Gedalia Elitentia and M. M. Morpurgo.

No. 4. Some originals and copies of semaha, admission to slaughter and examine animals and to slaughter poultry.

PPPP. A parcel containing all title-deeds, charts, etc., of the lots at Paramaribo and of those at the Savane and its environs.

QQQQ. Two parcels of notifications and placards and one idem convocation.

RRRR. A parcel of letters and other documents from the members of the brotherhood Hozer-Holim in regard to the propagation of said society, 1840.

SSSS. A parcel of petitions of Governor regarding the alteration of the number of Parnassim, 1838.

TTTT. A parcel of pledges signed by various people for the admittance of several persons as members of this community.

UUUU. A parcel of some documents referring to the law-suit Ca B. E. Colaço and others.

VVVV. A parcel of annual statistics of the Governor-Secretary up to 1857.

WWWW. A parcel of agreements between the vestry and the receivers up to 1857.

XXXX. A parcel containing monthly cash-accounts from the receiver, Ik da Capadoce, from January 1, 1849, up to February 18, 1857.

YYYY. A parcel containing minutes kept by the committee, appointed by the vestry for the purpose of making arrangements with debtors, the acceptance of same, and other documents relating thereto.

ZZZZ. Publications and advertisements of transports passed at the Jewish Savane (Joden-Savane).

AAAAA. A parcel containing as follows:

No. 1. Different instructions and stipulations for the functionaries in service of the community.

No. 2. Instructions about the circumcision of persons not born of Jewish parents.

No. 3. Regulations of the late Brotherhood of Liviat Hen and Hozer-Holim.

No. 4. Instructions referring to the admittance of persons not born of Jewish parents.

No. 5. Instructions for a financial clerk.

No. 6. Compendia or rites.

No 7. Regulations regarding the burial of distinguished people belonging to this community.

No. 8. Instructions and charges regarding marriages consecrated in Europe.

BBBBB. A parcel containing as follows:

Thirteen documents (these documents are in a deplorable condition).

CCCCC. A parcel containing the political orders and privileges.

DDDDD. A parcel containing divers mienhagiem or rites.

EEEEE. A parcel containing nine documents, letters, and letter-copies from 1751 up to 1754, signed by Her Royal Highness Princess Anna, with her own hand.

FFFFF. A parcel containing correspondence between the vestry, in the name of the Portuguese community here, and the Portuguese ambassadors and other influential and noted people, 1818.

GGGGG. A parcel of documents regarding the intended amalgamation of both Jewish congregations, 1852.

HHHHH. An election-book.

IIIII. Some lists of letters of apology, a list toast held and other annotations regarding the dinners offered to the Portuguese who arrived here from Cayenne, 1818.

KKKKK. No. 1. A parcel of draft-minutes, besides all papers and documents appertaining to these minutes, which have been discussed in the years 1832 and 1833.

No. 2 as above A° 1834.
No. 3 " " 1835.
No. 4 " " 1836.
No. 5 " " 1837.
No. 6 " " 1838.
No. 7 " " 1839.
No. 8 " " 1840.
No. 9 " " 1841.
No. 10 " " 1842.
No. 11 " " 1843.
No. 12 " " 1844.
No. 13 " " 1845.
No. 14 " " 1846.
No. 15 " " 1847.
No. 16 " " 1848.
No. 17 " " 1849.
No. 18 " " 1850.
No. 19 " " 1851.
No. 20 " " 1852.
No. 21 " " 1853.
No. 22 " " 1854.
No. 23 " " 1855.
No. 24 " " 1856.
No. 25 " " 1857 to August, 1858.

LLLLL. Extracts from the Colonial Department (Ministerie van Koloniën) and from His Excellency, besides petitions to the aforementioned regarding the nomination of the Very Reverend Mos. Lewenstein as a Chief Rabbi for both congregations, besides other documents referring to this matter.

MMMMM. A parcel containing receipts, which have been cut out of the receipt-book by the receiver, but which have not been handed to the rightful owners, they having paid on provisional receipts, without afterwards exchanging them.

NNNNN. A parcel containing some printed boks:

No. 1. Statutes of the C. I. Synagogue at Amsterdam.

No. 2. A few copies of the Government-Gazette.

No. 3. A printed letter from *Mr* Le Wien referring to his request for gifts of charity in behalf of the Jews in the Holy Land.

No. 4. Berge-laws of the board of charity.

No. 5. Some specimens of prayers, dirges, songs of solace, which are to be sung at funerals.

No. 6. Some copies of the songs sung on the occasion of the inaugural sermon by the Chief-Rabbi.

OOOOO. A number of papers and books of the late Brotherhood Hozer-Holim.

PPPPP. Four originals and copies showing the seats in the synagogue.

ADDITIONAL BOOKS AND PAPERS IN THE ARCHIVES.

No. 1 A minute-book of the church wardens from 1857-1871.

No. 2 A minute-book of the vestry from 1861-1870.

No. 3. Three books containing receipts.

No. 4. An "Escamot" or general political, economical, clerical and civil institutions of this congregation at Surinam.

No. 5. Thirteen parcels, with vouchers promptly provided with consecutive numbers verifying the cash-account from 1868 up to ultimo 1879.

SOME JEWISH FACTORS IN THE SETTLEMENT OF THE WEST.[1]

By Max J. Kohler, A. M., LL. B.

The historical student, searching for traces of Jewish pioneer settlers in this country, encounters much greater difficulties in the West than along our Eastern sea-coast. This is due not merely to the fact that the general historian and archivist has occupied himself more with our original Thirteen States, possibly finding more interest and romance in their greater venerability, but also because our western lands were settled in such large degree by people who had previously resided in the East, and were familiar with the fact of Jewish settlement in their midst, that the same was no longer a subject for comment. Unlike the eastern settlements, Jewish immigrants going westward commonly migrated in isolated, individual, or family groups, generally in insufficient numbers to establish congregations, till long after the first settlement, and many were lost track of by the Jewish community forever. Their arrival, for the reason just suggested, would not attract attention, such as was aroused by the earliest arrivals in Dutch days in New Amsterdam, encountering Stuyvesant's antagonism forthwith, or by the inquiry concerning right of residence, as in colonial Rhode Island, or by systematic efforts at encouraging indigent Jewish migration, as in Savannah. In all these cases we encounter appreciable numbers, arriving together, at periods when their legal rights were still undetermined, and when prevailing habits of thought regarded all strangers as unwelcome arrivals, while, on the other hand, the

[1] Read at the Thirteenth Annual Meeting at Cincinnati, Ohio, February 28, 1905.

very fact of recent religious persecution abroad predisposed the settlers to welcome opportunities for establishing religious and communal institutions, which numbers at once made possible, especially as beginnings were laid before the period of religious indifference, following in the wake of the French Revolution, had set in. Accordingly, the fact that relatively few early Jewish pioneer settlers in the West have been identified thus far, in no way indicates that Jews were not frequently western pioneer settlers, and, in fact, the purely casual references indicating the Jewish antecedents of such as have been identified, show how often such identification may be impossible. In fact, we know that already in 1655, some of the Jewish settlers in Dutch New York insisted on a recognition of their right to live and trade at Albany and in New Jersey and Pennsylvania, and their trading instincts had to be gratified, even though savage men and beasts were to be encountered on their course. The inter-colonial trade which promptly sprang up in colonial times between Jewish settlers in different and often distant colonies afforded further opportunities for settlement in new sections on the part of particular individuals, and these tendencies were further augmented by the very active participation of well-known Jewish families during the 18th century, in trade with the Indians, in extensive purchase and speculation in western lands, and in enterprises for provisioning armies engaged in interior warfare. More diligent research is bound to bring to light ever-increasing instances of isolated Jewish settlements in the West, at periods long before congregational life, keeping Jewish consciousness alive, was possible.

The early Jewish residents whose race was exposed by the horrors of the Inquisition among the Spaniards and Portuguese in South America during the 16th and 17th centuries doubtless found their way also into the early settlements made by those nations in our own West, but the very fact that religious bigotry and persecution were less pronounced here,

has largely effaced, thus far, traces of such early settlement. We learn, however, that several Jews were burnt at the stake in the beginning of the 18th century in the Illinois territory, because resident there in violation of the French Code Noir, which forbade Jewish settlement.

An interesting item concerning this incident, taken from the Chicago *Inter-Ocean*, of October 1, 1899, is reprinted here as appendix 1. I was unable, after inquiry, to learn further particulars, and allowances must be made for newspaper exaggeration.

When religious persecution abated, Jewish arrival and settlement attracted no notice, and hence we learn, for instance, of the presence of Jewish settlers, whose names even have escaped us, at Pittsburgh in the year 1800 from the English actor Bernard's "Retrospections of America" (p. 182). He remarks: "I found the town which was called 'The Western Exchange' a reflex of New York, the same earnest bustle in its business and the same national variety in the thickly thronging strangers. Here were natives of every State, besides English, Irish and Scotch, French, German, Dutch, Jews, and Indians." A couple of instances in point concerning other Jewish pioneers in the West will next be considered.

The services of the well-known Franks family in the direction of making pioneer settlements in the West, have not been adequately noticed, much as has been written about the distinction of various members of this family in the East; the circumstance that one of this family, Col. David S. Franks, figures actively in connection with the early settlement of Ohio, in 1790, may specially interest a Cincinnati gathering.

During the French and Indian War, Jacob Franks, of New York, and his son, David Franks, of Philadelphia, served as agents for the royal army contractors in America, and a mass of their correspondence was recently discovered, including about a hundred letters, aggregating over £750,000

worth of contracts for provisioning British armies and garrisons, particularly in and about Fort Pitt and the Illinois country.[2] About this very time we learn of a town near Fort Duquesne, named Frankstown, after David Franks, being established, as also of large grants of Indian lands on the Ohio, secured by David Franks and others between 1760-1769.[3]

Col. David S. Franks, who had been Aide-de-Camp to Arnold before the latter's treason, and thereafter was sent abroad by Congress as bearer of our treaty of peace, and still later figured as one of the marshals in Washington's inaugural procession, accepted a grant of 400 acres of western land for his services during the Revolution.[4] He had been intimate with Col. Wm. Duer and Joel Barlow, both of whom were greatly interested in the Scioto Co.'s projects for settling French emigrants in Ohio, and we learn that early in 1790, he was designated by Duer as agent to receive the French settlers at Alexandria, Va., and lead them to their western homes. The first party of French emigrants reached Alexandria about May 1, 1790, but they had been expected earlier, and Col. Franks had meantime returned to New York, supposing that they had made some other port.[5] Before long, however, he was active in their behalf, and we read in the "Minutes of the Supreme Executive Council of Pennsylvania," under date of November 6, 1790,[6] that "upon application of Colonel Franks, it was Ordered, That Captain Joseph Stiles, Commissary of Military Stores, be directed to deliver to the said Colonel Franks, for the use of the French emigrants, who are going to Scioto, four tents, the property of the State, he, the said Col. Franks engaging to have the like number of tents made

[2] See *Publications*, Vol. XI, pp. 181-83.

[3] Collections Mass. Hist. Society, 1861, 4th Series, Vol. 5, p. 428; Vol. 9, pp. 319, 341; Vol. 10, p. 606.

[4] Dr. H. Friedenwald in *Publications*, Vol. I, p. 85.

[5] Mannasseh Cutler's "Life, Journal, and Correspondence," Vol. I, p. 512.

[6] Pa. Col. Records, Vol. 16, p. 513.

and placed in the State store in a few days." The unpublished "Duer Manuscripts," contained in the manuscript collections of the New York Historical Society, contain several later references to Franks in this same connection, and there is reason to believe that he was one of the unfortunate French settlers who migrated to Ohio in reliance upon the representations of the Scioto Co., many of whom were killed in the Indian massacre that followed. It is not unlikely that manuscript papers, concerning this settlement, apparently stored in the collections of the Cincinnati Historical and Philosophical Society, will throw further light on the activities of this early Jewish pioneer in Ohio. His portrait was painted as a miniature by Charles W. Peale, in 1777-78 at Valley Forge,[7] and this may be the portrait of him in the possession of Mr. Clarence de Sola of Montreal, a copy of which is to be found in Mr. Abbott's recently published edition of Sargent's "Andre."[8]

Still another member of the family, Jacob Franks, is to be encountered as a pioneer at Green Bay, Wisconsin, in 1792.[9]

Of special interest is the career of John Hays, one of the pioneer settlers of Illinois, a scion of the well-known family of that name, heretofore encountered, beginning their American career early in the 18th century, in New York, Philadelphia, and Canada. John Hays was a grandson of Solomon Hays, who was admitted as a freeman in New York in 1742, and one of whose sons, Baruch Hays, first lieutenant in the Revolutionary War, became the father of John Hays, who was born in 1770. His adventuresome career is ably depicted by

[7] Pa. Mag. of His. and Biography, Vol. 23, p. 246.

[8] Compare author's article on Col. David S. Franks in the "Magazine of History," August, 1906, issue.

[9] Wis. Hist. Society, Vol. VII, p. 227; Vol. III, pp. 250-251. Compare David Heineman's "Jewish Beginnings in Michigan before 1850," in Vol. 13 of our *Publications*, p. 52 et seq.

one of his life-long friends, Gov. John Reynolds, of Illinois, in his "Pioneer History of Illinois,"[10] as follows:

In the year 1793 John Hays emigrated to Cahokia and remained there, and in the vicinity, during life. He was born in the city of New York, in the year 1770, and when quite a youth, entered the Indian trade in the Northwest. He was a clerk to a wealthy house in Canada, and was sent first to Mackinaw, and afterwards, towards the Lake of the Woods and the sources of the Mississippi. It was towards the headwaters of Red River, of Silkers' Settlement, that he and two Canadians were caught out in a snowstorm in the prairie and were compelled to lie under the snow for three days and nights, during the storm. They had a scanty supply of dried meat to eat, and thin blankets to cover them The storm raged with such violence that they were not able to travel in the open prairie, and were forced to remain under the snow to preserve their lives. It snowed in the meantime, to a considerable depth. No one who has not experienced the hardships in the Indian trade of the Northwest can realize it. The want of water under the snow was that which incommoded them most.

He returned safe from this storm, and afterwards he made arrangement with Messrs. Todd and Hay, who had formed an extensive commercial partnership, to act as the agent and clerk in their business. He settled in Cahokia, in the employ of the company of Todd and Hay. But Todd dying, and the company dissolving, forced Hays out again on his own resources. He turned his attention, as many others did, to the Indian trade. At times, he also kept a small assortment of goods in Cahokia. His boats, either with himself or agent, generally made a voyage once a year to Prairie du Chien, with articles for the Indian trade, and returned sometimes the same fall, and sometimes in the spring. With a due regard to economy, he made money in this commerce.

He married a lady in Vincennes of excellent family, and what is still better, of sound, good sense. They lived together in Cahokia, and raised a respectable family. He turned his attention to agriculture. He purchased land in the commonfield of Cahokia, and cultivated it to some considerable advantage. He managed his farm with good sense and economy, as he did all other business.

He held the office of Postmaster in Cahokia so long "that the

[10] John Reynolds: "Pioneer History of Illinois," 1852, pp. 186-188

memory of man" scarcely "runneth to the contrary." This was no profit to him, but he held the office for the accommodation of his creole neighbors, whose acquaintance with school houses was extremely limited.

He was appointed to the office of Sheriff of St. Clair County by Gov. St. Clair in the year 1798, and he continued to exercise the duties of this office down to the year 1818, when the State Government was organized. I presume this was the longest term of office ever held in Illinois. It is the strongest evidence of the punctuality and honesty of the incumbent. Rotation in office was not then practiced.

In the year 1822 he was appointed Indian Agent of the Pottowotomac and Miamis at Fort Wayne, in the northeast section of the State of Indiana. He remained in this office for several years, and received a handsome annual salary. He returned home to Cahokia, and enjoyed his old age in peace and happiness with his family and friends. During a long life of industry and economy, he acquired a handsome property and was, in his advanced years, very comfortably situated, having all the comforts of life that render the human family happy. He died in old age, much regretted by his family and friends.

Mr. Hays possessed a moral and honest character; his morality throughout life was very exemplary. He was not a member of any Christian church, but observed the precepts contained in the word, with due respect and devotion. At his death, his fortune descended to three daughters, his only children.

He possessed a common English education, and spoke French fluently; and enjoyed a very respectable character; his memory is well entitled to the respect of posterity.

From other sources we learn that John Hays died in 1836. Edward G. Mason in his "Early Chicago and Illinois,"[11] points out that John Hays was a member of the militia of the 1st Regiment of St. Clair County already in 1790, and must therefore have migrated to Illinois at least three years earlier than Gov. Reynolds supposed. The "Edwards Papers," edited by E. B. Washburne, contain a letter from him (pp. 81-83) written August 26, 1812, to Gov. Edwards in reply to the Governor's request for information during the War of 1812.

[11] Chicago Hist. Soc. Collections, Vol. IV, p. 217.

The editor properly observes that the letter shows him to have been a well-educated and intelligent man. President Madison nominated him in 1814 to be Collector for the Indian Territory, to which office he was promptly confirmed by the Senate.[12] I learn that he was an intimate friend of Lewis Cass and John C. Calhoun, from information communicated to me by his granddaughter, Mrs. Eliza Brouillet, of Dallas, Texas, who still has in her possession a family Hebrew Bible and other evidences of her grandfather's Jewish faith.

Dr. Philipson's valuable article in No. 8 of our "*Publications*" on "The Jewish Pioneers of the Ohio Valley" (p. 43), raises an interesting query concerning Captain Nathaniel G. S. Hart, as to whom Dr. Philipson wrote: "In my search among the volumes detailing the story of the efforts and struggles of the pioneer white men among the pathless forests of the great northwest territory I have come across but one name that has a Jewish sound, that of a colonel serving in the forces under the command of General St. Clair, Nathaniel G. S. Hart. But this Hart was a brother of Mrs. Henry Clay; hence he was, in all likelihood, not a Jew." This early settler is the same as was referred to by Mr. Lewis N. Dembitz in Vol. 1 of our "*Publications*" (p. 99) in his paper on "Jewish Beginnings in Kentucky," where it was pointed out, however, that he was a member of a Christian church in Kentucky. Dr. Philipson has recently had occasion, however, to question the correctness of his inference that Hart was not a Jew, as appears from the following article, which appeared in *The American Israelite* of May 24, 1900:

AN INTERESTING POSSIBILITY.

We have received the following letter which we publish in the hope that it may attract the attention of some one who may be able to throw further light on the interesting suggestion of the writer. It is not all impossible that a Jew by the name of Hart

[12] Journal of the Executive Proceedings of the Senate, 1828, Vol. II, pp. 457, 461.

may have settled in Kentucky in the last century, have married out of the faith but have left some remains indicating his origin. The case of Benjamin Gratz of Lexington is similar. This brother of Rebecca Gratz, celebrated as the original Rebecca in Scott's Ivanhoe, and the founder of the first Jewish Sunday-School in the United States, emigrated to Kentucky and was lost to all Jewish affiliations till the approach of his last hour when he requested to be buried as a Jew. The letter in question is as follows:

Rev. Dr. David Philipson, Cincinnati, O.

My dear Sir: Referring to your interesting article "Jewish Pioneers in the Ohio Valley," Vol. 8, of the American Jewish Historical Society, you say "this Hart was a brother of Mrs. Henry Clay; hence he was, in all likelihood, not a Jew."

My father informs me that in 1857 Dr. Bettman (a prominent physician of Cincinnati) told him that some years prior to the date of the conversation, he (Dr. B.) had been called in professionally to attend a member of Clay's household, at which time Mrs. Clay showed him a Hebrew Bible and informed him that it had belonged to her paternal grandfather, who was a Jew. . . . . This straw would point to the probability that Col. Nathaniel G. S. Hart, if not a Jew, was not "far removed" from one.

Sincerely yours,

_____.

It appears from Colton's "Life and Times of Henry Clay" (Vol. 1, p. 31) that Clay in 1799 married Miss Lucretia Hart, daughter of Col. Thomas Hart, "a gentleman of high standing in Lexington (Kentucky) and famed for his enterprise, public spirit, and hospitality." Mrs. Clay was born in 1781 at Hagerstown, Maryland. In Collin's "Historical Sketch of Kentucky" (p. 345) the statement that Thomas Hart, with his family, migrated to Kentucky from Hagerstown, is confirmed. Of course the fact of the relationship to Clay is no satisfactory argument, *pro* or *con*, as to the Jewish antecedents of the family, but in spite of the alleged family tradition above referred to, and the further circumstance that Hagerstown, Maryland, was within the line of early German Jewish migration to America, the Jewish origin of the family is not yet satisfactorily established. Of course the French Jewish migrations to America to this Ohio country district long antedating the Hart settlement, should not be overlooked, although particulars as to them have not yet been published in convenient form.

In an interesting article on Rebecca Gratz, contributed by Gratz Van Rensselaer to the *Century Magazine*, September, 1882, under the title "The Original of Rebecca in Ivanhoe" (pp. 679-682), he points out that Rebecca Gratz's father, Michael Gratz, had large landed interests, which included the famous "Mammoth Cave" in Kentucky. Her brother, Benjamin (born Philadelphia, 1792, died, 1884), resided for years and died at Lexington, Kentucky, and there married twice, first Maria Cecil Gist, and after her death Anna Maria (Boswell) Shelby. Mr. Van Rensselaer adds: "Rebecca's visits at the home of her brother in Lexington, Kentucky, whither her fame had preceded her, partook of the nature of ovations. On these occasions she received marked attention from Henry Clay, between whom and her brother a warm friendship existed. Several members of her family intermarried with the Clays, the Schuylers, and other Gentile families; and the society of few persons was more courted by Christians than was that of Rebecca Gratz." Morais "The Jews of Philadelphia" (pp. 401, 447, 470) questions the fact that Joseph B. Nones of the well-known Philadelphia and New York family of that name, served as Henry Clay's secretary for some time.

APPENDIX I.

(*Chicago Inter-Ocean*, October 1, 1899.)

OLD WAR ON JEWS.

EXPULSION EDICT OF LOUIS XIII JUST FOUND IN INDIANA.

NO MENTION IN HISTORY.

Wholesale Torture of Hebrews in French Territory.

Several Jews Burned at the Stake Within a Short Distance of Chicago.

ANDERSON, IND., SEPT. 29 [1899].—Some old documents which have just been found in Indiana tell a story of peculiar interest at this time, when the whole world has its attention called to the anti-Semitic question. Louis XIII was on the throne in 1606, when the French made their first settlement in this country, and to the relations which existed between France and the papal government—one relying strongly on the other for support—was due an edict he promulgated on the 23d of April, 1615. Protestantism had just reached the interesting crisis of the Huguenot affair in France and all colonists were ordered by this edict to swear allegiance to the holy church. This order was even extended by Louis XIII to the Jews. He branded them as enemies of Christianity on the charge that they were the slayers of the Savior. They were subjected to gross discriminations in France, and in the edict of April 23, 1615, he prohibited any Jew from entering the colonies of the new world over which the French government had control. The Spanish government, then colonizing from St. Augustine south, concurred in this. As a precautionary measure Louis XIII also required the immediate removal of any Jews that might find their way to the new country. This edict was a dead letter for over 100 years.

The British colonies, however, opened a way for the thrifty and abused race, and they entered the new world through the Atlantic colonies controlled by the English charters, and finally worked their way west, trading with the Indians. Proving a source of revenue to England, they were encouraged rather than

held under restraint. While they were close dealers they were, as a class, rather more honest than the English traders, and they became friendly with the Indians. Their march west in search of trade led them at last over the Alleghanies and into that great basin which France laid claim to and called the province of Louisiana—all of that section whose rivers drained into the Mississippi.

At first the edict of Louis XIII was forgotten, but when the French found the Jewish traders were gaining on them, and instead of sending their purchases through French channels, shipped them to England, the matter was carried to the King of France. Louis XV was then on the throne, and in March, 1724, he resurrected the old edict of Louis XIII and put it into effect. It was engrossed in a mandate of fifty-one articles, fifty of which dealt with the regulation of slave trade and slave holding. This official document is one lately found in Indiana. The clause relating to the expulsion of the Jews is as follows:

"Article 1. The edict of the late King Louis XIII of glorious memory, dated April 23, 1615, shall be in force in our province and colony of Louisiana, in the execution of which, we enjoin the directors of said company (the Indies company which had, by Louis XV been granted exclusive trading privileges in the province of Louisiana), and all of our officers, to remove from said country all the Jews who may have taken up their abode there—the departure of whom, as declared enemies of the Christian name, we command within three months, including the day these presents are published, under pain of forfeiture of their bodies and estates."

The officers into whose hands this order was placed did not wait for the three months of grace to pass, but at once began an open warfare upon the Jews.

Three Jews were burned at the stake, one of them on the north bank of the Ohio river, another forty-five miles southwest of old Fort Vincennes, and another down in the Yazoo district, and it may safely be said that several more were thus disposed of. Tradition has it that several were tortured on the rack not far from Vincennes. Others were herded, and after their properties were confiscated they were marched into the Illinois district at old Fort Chartres on the Mississippi, near St. Louis. It is asserted that there were almost 300 Jews in the Mississippi valley in 1724 when the edict was issued and that all were driven out—not one left. From 1724 to the fall of Quebec, when the British gained

the Mississippi valley, they were excluded and did not intrude. But they advanced with the British flag, and after George Rodgers Clark turned the country over to the states they swarmed in again, always keeping in the settlements.

The articles of the edict, treating on slavery, add interest to the instrument. Louis XV was not in favor of slavery. The Spaniards had introduced the negro from Africa and were selling him to the French settlers on three years' time. It was found, as an official report has it, that "one negro could do the work of four white men in the new country." On this ground, and on the argument that by converting the negroes to Christianity he would be doing the Lord a great service, after much persuasion, Louis XV finally consented to servitude in the colonies and recognized it in this edict. Up to that time there had been no restrictions thrown upon the slave owner, and even the rack had been introduced as punishment and other barbarities practiced. Though some of his measures seem at this day to have been harsh, the edict worked a great improvement in the treatment of slaves.

First of all the requirements was that all slaves must be educated in the rites of the Catholic church and be baptized. The edict also prohibited rites other than Catholic; labor on church holidays and Sunday; inter-marriage of whites and blacks, concubinage, marriage of slaves except on consent of owners, and forbade owners to force marriage. Slaves were interdicted from carrying arms, and masters from poorly feeding, or torturing, or mutilating slaves. It specified that the condition of the mother—be she free woman or slave—should decide the free or slave state of the child. It required masters to bury slaves in holy ground, and bury them at night if not baptized. For run-away slaves it provided that masters cut off one ear for the first offense, brand and hamstring for a second, and inflict death for the third.

THE STRUGGLE FOR RELIGIOUS LIBERTY IN NORTH CAROLINA, WITH SPECIAL REFERENCE TO THE JEWS.

By Leon Hühner, M. A., LL. B.

The old proverb that prejudice is the daughter of ignorance is strikingly illustrated in the history of religious liberty in the original Colonies. Those Colonies where Jews had settled in numbers were among the first to adopt the principle of civil equality, while those where the Jew was known little more than in name were the last to accept it.

In justice it must be said, however, that the great principle of liberty of conscience had been adopted by practically all the original States even prior to the Revolution. Catholics, Jews, Mahommedans and even heathens were alike protected in their respective beliefs.

Nevertheless, a few of the original States prescribed a religious test for office. In these, Catholics, Jews, and several other sects were precluded from attaining political honors.

In the course of time the injustice of a religious test was generally recognized and swept away. Two States alone continued to cling tenaciously to this relic of bigotry. Neither had any appreciable Jewish population, nor could either boast a representative congregation, even half a century after the Declaration of Independence. The States referred to are New Hampshire[1] and North Carolina, and the present paper will

[1] New Hampshire has the unenviable distinction of having been the last of the thirteen original States to grant political equality to the Jews. Prior to 1876 Jews and Catholics were excluded from certain offices. (Governor, House of Representatives, Senate.) See "The Constitution of New Hampshire as amended by the Constitutional Convention, 1876." (Concord, 1877). It was probably the only State in the Union, at that late date, where this was the case.

be devoted to a sketch of the long and interesting struggle for religious liberty within the latter.

North Carolina formed part of the original grant made by Charles II to a number of noblemen, who included the famous Earl of Shaftesbury and Lord Berkeley. The original constitution was drawn up by John Locke, the famous philosopher, and provided in the very broadest terms, for liberty of conscience.[2]

Early in the 18th century, however, the Episcopal Church became the established church in fact as well as in law.[3] While there was religious toleration of Dissenters there was not religious liberty in its broadest sense;[4] the colony was one of the very few that had an established church, and that establishment made its influence felt down to the time of its abolition just prior to the American Revolution. All citizens were required to pay toward its support, dissenting clergymen were denied the privilege of performing even the marriage

[2] See Stephen Beauregard Weeks, "The Religious Development in the Province of North Carolina," in Johns Hopkins University Studies, 10th series, Vols. V and VI, pp. 13, 39. Also, E. W. Caruthers, "A Sketch of the Life and Character of the Rev. David Caldwell," Greensborough, N. C., 1842, p. 54.

For a detailed discussion of Locke's Constitution and its provisions, see article by the present writer on "The Jews of South Carolina from the Earliest Settlement to the End of the American Revolution," Publ. Amer. J. Hist. Soc., Vol. 12, p. 39, etc., where additional authorities are given. See also, The North Carolina Hist. and Genealogical Register, Vol. 3, No. 1, p. 59.

[3] In the autumn of 1701 the Assembly passed an act making the Church of England the established church of the Colony. Stephen B. Weeks, "The Religious Development in the Province of North Carolina," *supra*, pp. 36, 39.

[4] "Beginning with 1701, the Episcopal Church was for three-quarters of a century the legal church in North Carolina, and while there was toleration for dissenters, there was not freedom of conscience and soul liberty in the absolute sense of those terms." S. B. Weeks, *supra*, p. 1, and on the same page, the writer states "There was an established church, there was positive persecution, there was not religious freedom."

ceremony. The latter privilege was finally granted, but only under certain burdensome restrictions. Governor Tryon, the King's representative, frankly admits "That by many of the inhabitants, the Establishment was regarded as even more oppressive than the Stamp Act."[5]

The Dissenters had kept up a vigorous fight against the Establishment;[6] but no sooner had their efforts been crowned with success, than these very men, who had fought their own cause so valiantly, became the opponents of that complete religious liberty which now lies at the very foundation of American institutions.

They took an uncompromising and decided stand against the complete emancipation of Roman Catholics, Jews, and others. The remark once made concerning the Puritans, might indeed be appropriately applied here. "These men loved Religious Liberty so much, that they desired to keep it all for themselves."[7]

Shortly after the adoption of the Declaration of Independence the Congress of the State of North Carolina, assembled at Halifax, December 17, 1776, "for the purpose of establishing a Constitution or form of government."[8] Two of the leading subjects in the minds of the dominant faction were first, the prevention of an established church, and second, the exclusion of Roman Catholics from political office.

In addition to the prejudice already existing, it happened that several of the members of the Convention were

[5] *Ibid.*, p. 11, etc. See also p. 65.

[6] *Ibid.*, p. 65. See also, S. B. Weeks, "Church and State in North Carolina," in Johns Hopkins University Studies, 11th series, Vols. V-VI.

[7] "The persecuted Pilgrims of Massachusetts were such zealous lovers of civil and religious freedom, that they would fain keep it all to themselves." Address of Hon. William Gaston, in Proceedings and Debates of the Convention of North Carolina, 1835 (Raleigh, 1836), p. 290.

[8] The Public Acts of the General Assembly of North Carolina, revised by Francois-Xavier Martin, Newbern, 1804, Vol. 1, p. 191.

clergymen who were uncompromising on both subjects referred to. Prominently among these might be mentioned the Rev. David Caldwell, a Presbyterian divine, and one of the most influential men in that historic assembly.

As a matter of justice, it must be said, however, that the Convention unanimously recognized, and to the fullest extent, the right of every individual to worship in his own way. The provisions of the Constitution of 1776 provided for liberty of worship, and even excluded clergymen from being members of the Senate, House of Commons, or Council of State.[9]

The great and only stain upon the proceedings of this Convention was its illiberality when the question of holding office came up for discussion. The objectionable clause adopted, was the product of clerical influence, and to the Rev. Mr. Caldwell is attributed the doubtful honor of having framed and fathered Section 32, which was incorporated in the Constitution.[10] That section reads as follows:

"That no person who shall deny the being of God or the

[9] *Ibid.*, p. 191. "A Declaration of Rights made by the representatives of the Freemen of the State of North Carolina."

Section XIX provided "That all men have a natural and inalienable right to worship Almighty God according to the dictates of their own conscience."

Section XXXI prohibited clergymen, while exercising their pastoral function, from being members of the Senate, House of Commons, or Council of State.

Section XXXIV provided "That there shall be no establishment of any one religious church in this State in preference to any other; neither shall any person on any pretence whatsoever be compelled to attend any place of worship contrary to his own faith or judgment, nor be obliged to pay for the purchase of any glebe or the building of any house of worship or for the maintenance of any minister or ministry contrary to what he believes right . . . . but all persons shall be at liberty to exercise their own mode of worship," etc. (Constitution. *Ibid.*, p. 195.)

[10] W. H. Foote, "Sketches of North Carolina," N. Y., 1846, p. 240. See also, "A Sketch of the Life and Character of the Rev. David

truth of the Protestant religion or the Divine Authority, either of the Old or New Testament, or who shall hold religious principles incompatible with the freedom and safety of the State, shall be capable of holding any office or place of trust or profit in the Civil Department within this State."[11]

This section was doubtless aimed primarily at Roman Catholics. The prohibition being a sweeping one, however, necessarily included Jews, Quakers, Mohammedans, Deists, and others.

But it would be unfair to say, that the views embodied in Section 32 went unchallenged. Religious liberty, in its broadest sense, had indeed powerful champions in the Convention and, though these were in the minority, they included the very greatest sons of North Carolina. James Iredell,[12] and Governor Johnston,[13] need only be mentioned in this connection.

Caldwell, D.D.," by the Rev. E. W. Caruthers, A. M., Greensborough, N. C., 1842, pp. 190-191. Also p. 248. In this connection Caruthers makes the following remark: "It is said, I know not on what authority, that he drafted the article which excludes ministers of the Gospel as well as one which excluded Roman Catholics from holding offices under the government; and if so, it is an evidence, not only of his strong attachment to liberty, but of his vigilance in guarding against everything which might lead to a union of Church and State."

[11] The Public Acts of the General Assembly of North Carolina, revised by Francois-Xavier Martin, Newbern, 1804, Vol. I, p. 195, etc.

[12] Iredell was subsequently the leader of the Federalists in North Carolina, and in 1790 was appointed by Washington an associate justice of the U. S. Supreme Court. Iredell County was named after him in 1788. See Appleton's Cyc. of Amer. Biog., Vol. III.

[13] Samuel Johnston (1733-1816), one of the most distinguished Revolutionary patriots of North Carolina. He was a member of the first two Provincial Congresses and presided over the third and fourth. In 1775 he was elected chairman of the Provincial Council and virtually became Governor of the State. Member of the Continental Congress of 1781-2, and in 1788 became Governor of the State. He was president of the convention that adopted the Federal Constitution, and later became a U. S. Senator. See Appleton's Cyc. of Amer. Biog., Vol. III.

The spirit which dominated the Convention in 1776 found its way into the Federal Convention of 1787 as well. Though "Elliot's Debates" inform us that the clause abolishing religious tests in the Federal Constitution passed unanimously,[14] *Madison expressly reports that North Carolina alone voted against it.*[15]

When the Federal Constitution was submitted to North Carolina for adoption, the whole subject was again brought to the front for fuller and more thorough discussion.

The State Convention convened at Hillsborough, July 21, 1788.[16] It had been preceded by considerable agitation, because it was strongly objected that the instrument contained no guarantee for religious freedom. So high did the excitement run that pamphlets were actually circulated, pointing out in all seriousness the possible danger of the Pope being elected President, should the Constitution be adopted. A pamphlet of this kind was even most gravely discussed by various speakers in the Convention.[17]

[14] Elliot's Debates, Wash., 1836, Vol. I, p. 277.

[15] See also Debates on the Adoption of the Federal Constitution as reported by James Madison, Wash., 1845, Vol. V, p. 498.

[16] "For the purpose of deliberating and determining on the Constitution recommended by the General Convention at Philadelphia the 17th day of September, 1787." See Proceedings and Debates of the Convention of North Carolina, etc., Edenton, MDCCLXXXIX.

[17] *Ibid.*, p. 222, etc. Iredell in the course of his address refers to a pamphlet wherein "the author states as a very serious danger that the Pope of Rome might be elected President." "I confess," says Iredell, "this never struck me before, and if the author had read all the qualifications of a President, perhaps his fears might have been quieted."

See also Governor Johnston's address. *Ibid.*, p. 225, etc.

Also Mr. Lancaster's Address, *ibid.*, p. 242, where the following appears: "Let us remember that we form a government for millions not yet in existence. . . . In the course of four or five hundred years, I do not know how it will work. This is most certain, that Papists may occupy that chair, and Mahometans may take it. I see nothing against it." See also *ibid.*, p. 239.

On July 30, 1788, the Rev. Henry Abbot, a Baptist minister, and member of the Convention, opened the discussion. After airing his fears of Roman Catholics,[18] he said: "The exclusion of religious tests is by many thought dangerous and impolitic. They suppose that if there be no religious test required, Pagans, Deists, and Mahometans might obtain offices among us, and that the Senate and Representatives might all be Pagans." [19]

Iredell, one of the most distinguished members, replied in a splendid address opposing all religious qualifications for office.[20]

[18] *Ibid.*, p. 217. The following occurs in his address: "It is feared by some people that by the power of making treaties, they (the government) might make a treaty engaging with foreign powers to adopt the Roman Catholic religion in the United States, which would prevent the people from worshipping God according to their own consciences. . . . . Many wish to know what religion shall be established. I believe a majority of the community are Presbyterians. I am for my part against any exclusive establishment, but if there were any, I would prefer the Episcopal."

[19] Proceedings and Debates of the Convention of North Carolina, etc., Edenton MDCCLXXXIX, p. 218. Continuing, the speaker said: "Every person employed by the General and State Governments is to take an oath to support the former. Some are desirous to know how and by whom they are to swear, since no religious tests are required, whether they are to swear by Jupiter, Minerva, Proserpine or Pluto. We ought to be suspicious of our liberties," etc.

[20] *Ibid.*, p. 218, etc. "Every person," said he, "in the least conversant in the history of mankind, knows what dreadful mischiefs have been committed by religious persecutions. Under the colour of religious tests the utmost cruelties have been exercised. Those in power have generally considered all wisdom centered in themselves, that they alone had the right to dictate to the rest of mankind, and that all opposition to their tenets was profane and impious. The consequence of this intolerant spirit has been, that each church has in turn set itself up against every other. . . . . America has set an example to mankind to think more modestly and reasonably; that a man may be of different religious sentiments from our own, without being a bad member of society.

He condemned the folly of the Test Acts in England, pointing out that only the really conscientious were prevented from holding office there, while the unscrupulous politicians regularly conformed.[21]

"But it is objected," he continued, "that the people of America may perhaps chuse Representatives who have no religion at all, and that Pagans and Mahometans may be admitted into offices. But how is it possible to exclude any set of men without taking away the principle of religious freedom, which we ourselves so warmly contend for? This is the foundation on which persecution has been raised in every part of the world. The people in power were always in the right and everybody else wrong. If you admit the least difference, the door to persecution is opened."[22]

The principles of toleration, to the honour of this age, are doing away with those errors and prejudices which have so long prevailed, even in the most intolerant countries. . . . I consider the clause under consideration as one of the strongest proofs that could be adduced, that it was the intention of those who formed this system, to establish a generous religious liberty in America." . . . .

[21] *Ibid.*, p. 219, etc. "The intention was, to exclude all persons from offices but the members of the Church of England. Yet it is notorious that Dissenters qualify themselves for offices in this manner, though they never conform to the Church on any other occasion, and men of no religion at all, have no scruple to make use of this qualification. . . . . Happily no sect here is superior to another. As long as this is the case, we shall be free from those persecutions and distractions with which other countries have been torn." . . . .

[22] *Ibid.* "It would be happy for mankind," he proceeded, "if religion was permitted to take its own course and maintain itself by the excellence of its own doctrines. . . . This article is calculated to secure universal religious liberty by putting all sects on a level, the only way to prevent persecution."

In this address the speaker also discussed the liberality to be employed in administering oaths not only to Christians and Jews but also to others.

The possibility of Jews holding political office also came under discussion. Governor Johnston, claiming that before Jews or Mohammedans could become President or hold office, either the people at large must be of the same turn of mind, or, to use his own words, "if any persons of such a description should, notwithstanding their religion, acquire the confidence and esteem of the people of America by their good conduct and practice of virtue, they may be chosen." [23]

On the other hand, the Rev. David Caldwell urged that liberality "was an invitation for Jews and Pagans of every kind to come among us." "I think," said he, "that in a political view, those gentlemen who formed this Constitution should not have given this invitation to Jews and Heathens." [24]

After considerable discussion, the narrower view prevailed,[25] The Convention resolved neither to ratify nor to reject the Constitution, but that a Declaration of Rights be laid before Congress and twenty-six amendments proposed. North Carolina was therefore unrepresented in the extra session of the first Congress which adopted the first amendment, "That Congress shall make no law respecting the establishment of religion or prohibiting the free exercise thereof."

This amendment was partly a concession to that State,

[23] Proceedings and Debates of the Convention of North Carolina, etc., Edenton, MDCCLXXXIX, p. 225, etc. In view of the large Jewish immigration in recent years, the following argument of Johnston seems curious. Replying to Caldwell, he admitted the possibility of Jews, Pagans, etc., emigrating to the United States, "yet," said he, "they could not be in proportion to the emigrations of Christians who should come from other countries, that in all probability, the children even of such people would be Christians."

[24] *Ibid.*, p. 226, etc. Mr. Lancaster, an ardent supporter of Caldwell, also spoke at length on the possibility of Papists and Mahomedans becoming President, should the instrument be ratified.

[25] *Ibid*, p. 226. Among other splendid addresses in favor of religious liberty during the session, one by Mr. Spencer deserves particular mention.

which thereupon adopted the Constitution at Fayetteville, November 21, 1789.[26]

Despite all this prejudice, Article XXXII of the State Constitution soon came to be regarded a dead letter. In the face of it, both Catholics and Jews were elected members of the Legislature, and it has been well said, that though its provisions were aimed primarily against Catholics, "it was never interpreted against them."[27] As a matter of fact a Catholic was even elected Governor in 1781.[28]

The article did not receive elaborate discussion, however, until 1809, when curiously enough, the whole subject came prominently to the front in the case of Jacob Henry, a Jew.[29]

Mr. Henry had been elected a member of the Legislature[30] for Carteret County and had served throughout the year 1808. He had apparently been re-elected in 1809, and then a fellow member, actuated by some spiteful motive, asked to have his seat declared vacant on account of his faith.

It may not be amiss here to give some account of what little we know concerning Jacob Henry. He was possibly

[26] See Stephen B. Weeks' "Church and State in North Carolina," Johns Hopkins University Studies, 11th Series, V-VI, p. 61.

[27] Judge Toomer subsequently claimed that the clause was merely "a declaration of principles, not a proscription of individuals." Supporters of the test even asserted, that it was not intended to keep individuals from holding office, but that it was to be regarded as "hidden thunder" to be used when needed. See Proceedings and Debates of the Convention of 1835, Raleigh, 1836, pp. 244, 310.

[28] Thomas Burke. See Proceedings and Debates of the Convention of 1835, Raleigh, 1836, p. 319.

[29] Historical Sketches of North Carolina from 1584 to 1851, compiled from Original Records, Official Documents, and Traditional Statements, etc., by John H. Wheeler, late Treasurer of the State, Philadelphia, 1851. Vol. II, p. 74. "This was the first time in the history of the State that this question had been made."

[30] House of Commons. *Ibid.*, p. 76.

the brother of Michael Gratz, of Philadelphia.[31] Jacob Gratz had assumed the name of Henry, and a paper concerning him was presented by Judge Sulzberger before this Society some years ago.[32] During the Revolution he seems to have gone South, and William Croghan, writing to Michael Gratz, from Charleston, in April, 1780, intimates making search for him. Croghan's letter expressly states: "I am uncertain where your brother is, otherwise should write."[33]

It is not at all unlikely, therefore, that he subsequently settled in North Carolina, and if this surmise be correct, he was about sixty or sixty-five years of age at the time when the question of his right to hold office was raised.

Wheeler, the historian, asserts that Henry's seat was actually vacated.[34] Investigation proves, however, that the contrary was the fact.[35] Mr. Henry boldly and successfully defended his

[31] A famous merchant in Revolutionary days; the father of Rebecca Gratz, who was the friend of Washington Irving.

[32] "Note on Jacob Henry and the Gratz Family," by Hon. Mayer Sulzberger, presented at meeting of Amer. J. Hist. Society, Dec., 1897.

[33] Robert Wilson Gibbes, "Documentary History of the American Revolution (Vol. 1776-82), 1857, pp. 129, 133, 134.

A Jacob Henry appears also among the names of patriot militia prisoners held by the British on the prison ship Torbay, 1781. In the same list appears the name of Jacob Cohen and other decidedly Jewish names. See MS. copy of letter to General Greene in possession of Lenox Library; Emmet Collection No. 15,670; American War, 1776-82, Vol. 2; Leslie Papers. Also Gibbes, "Documentary History of the American Revolution, 1781-2, pp. 74-5. See also "The Jews of South Carolina," by the present writer, in Publ. Amer. J. Hist. Soc., Vol. 12, pp. 55-6.

[34] Historical Sketches of North Carolina from 1584 to 1851, compiled from original Records, Documents, etc., by John H. Wheeler, late Treasurer of the State, Philadelphia, 1851, Vol. II, p. 74.

[35] Address of the Hon. William Gaston reported in "Proceedings and Debates of the Convention of North Carolina, 1835"

rights, though a most curious construction of Article XXXII was adopted in order to enable him to retain his seat.

Henry seems to have been popular with his constituents and also to have had many strong friends among the leaders in the House. Besides this, it so happened also, that two of the most prominent men of the State at the time were members of the Roman Catholic Church. One was Judge Taylor, the other the Hon. William Gaston. The former had been a judge for many years,[36] while the latter, curiously enough, had been elected to the House of Commons in 1808, though he, too, had previously held office.[37]

(Raleigh, 1836), p. 281. See also speech of H. M. Brackenridge (Philadelphia, 1828) p. 91.

See also speech of Col. J. W. D. Worthington, published with "Speeches on the Jew Bill," etc., by H. M. Brackenridge, Philadelphia, 1829, p. 107.

In his address Col. Worthington says: "A person was some year or so past elected in the North Carolina legislature. She has a strict test, his seat was attempted to be vacated, it was determined that the State test was repugnant to the Constitution of the United States, and *he retained* his seat. He was a Jew."

[36] John Louis Taylor represented Fayetteville in the House of Commons in 1792, was elevated to the Bench in 1798, and later (about 1808) became Chief Justice of the Supreme Court of North Carolina, remaining Chief Justice until his death in 1829. He had married the sister of William Gaston. See John H. Wheeler, "Historical Sketches of North Carolina," Philadelphia, 1851, Vol. II, pp. 114, 129. Also Appleton's Cyc. of Amer. Biog., Vol. VI.

[37] William Gaston (1778-1844) graduated from Princeton with honors, elected to the State Senate in 1799, and in 1808 to the House of Delegates, over which he was chosen to preside. He represented the State in Congress, 1813-15, and was Judge of the Supreme Court from 1834 until his death. One of the counties of North Carolina is named in his honor. An interesting sketch of him is given in Wheeler, "Historical Sketches of N. C.," Philadelphia, 1851, Vol. II, p. 114. See also William H. Battle, "Life and Character of William Gaston," Chapel Hill, 1844. Also Robert Strange, "Eulogy of William Gaston," Fayetteville, 1844. Also Appleton's Cyc. of Amer. Biog., Vol. II.

It will be noticed at once, that the very point raised against Henry might have been raised with equal propriety against Gaston, in fact against any Roman Catholic or Quaker. It was but natural, therefore, that the prominent Roman Catholics at once rallied to Henry's defense and warmly espoused his cause. On the other hand it is but fair to state that both Taylor and Gaston were broadminded men, and, entirely independent of selfish motives, both would have fought the cause of the Jewish member, on the broader issue of complete religious liberty.

While investigating this interesting episode, I found a copy of an address made by Jacob Henry in his defense before the House.[38] This speech is a splendid example of composition and for intrinsic merit was subsequently republished in a work known as the "American Orator." The address itself is too long to be given in full, but I will take the liberty of quoting some of its more striking passages.

After discussing the legal aspect of the subject he continues:

"It is difficult to conceive how such a provision crept into the Constitution, unless it is from the difficulty the human mind feels in suddenly emancipating itself from fetters by which it has long been enchained: . . . .

"If a man should hold religious principles incompatible with the freedom and safety of the State, I do not hesitate to pronounce that he should be excluded from the public councils of the same; and I trust if I know myself, no one would be more ready to aid and assist than myself. But I should really be at a loss to specify any known religious principles which are thus dangerous. It is surely a question between a man and his maker, and requires more than human attributes to pronounce which of the numerous sects prevailing in

[38] Historical Sketches of North Carolina from 1584 to 1851, compiled from original Records, Documents, etc., by John H. Wheeler, late Treasurer of the State, Philadelphia, 1851, Vol. II, pp. 74-76.

the world is most acceptible to the Deity. If a man fulfils the duties of that religion, which his education or his conscience has pointed to him as the true one, no person, I hold, in this, our land of liberty, has a right to arraign him at the bar of any inquisition; and the day, I trust, has long passed, when principles merely speculative were propagated by force; when the sincere and pious were made victims, and the light-minded bribed into hypocrites. Governments only concern the actions and conduct of man, and not his speculative notions. . . . . Shall this free country set an example of persecution, which even the returning reason of enslaved Europe would not submit to? Will you bind the conscience in chains? Will you drive from your shores and from the shelter of your Constitution, all who do not lay their oblations on the same altar, observe the same ritual, and subscribe to the same dogmas? If so, which among the various sects into which we are divided, shall be the favored one? . . . .

"When Charles V, Emperor of Germany, tired of the cares of government, resigned his crown to his son, he retired to a monastery, where he amused the evening of his life in regulating the movements of watches, endeavoring to make a number to keep the same time; but, not being able to make any two to go exactly alike, it led him to reflect upon the folly and crimes he had committed, in attempting the impossibility of making men think alike?

"Nothing is more easily demonstrated than that the conduct alone is the subject of human laws, and that man ought to suffer civil disqualifications for what he does, and not for what he thinks. The religion I profess inculcates every duty which man owes to his fellow men; it enjoins upon its votaries the practice of every virtue, and the detestation of every vice, it teaches them to hope for the favor of heaven exactly in proportion as their lives have been directed by just, honorable, and beneficent maxims. This, then, gentlemen, is my creed; it was impressed upon my infant mind; it has been the director of

my youth, the monitor of my manhood, and will, I trust, be the consolation of my old age. At any rate, Mr. Speaker, I am sure that you cannot see anything in this religion to deprive me of my seat in this House. So far as relates to my life and conduct, the examination of these I submit with cheerfulness to your candid and liberal construction. What may be the religion of him who made this objection against me, or whether he has any religion or not, I am unable to say. I have never considered it my duty to pry into the belief of other members of this House. If their actions are upright and conduct just, the rest is for their own consideration, not for mine. I do not seek to make converts to my faith, whatever it may be esteemed in the eyes of my officious friend, nor do I exclude anyone from my esteem or friendship because he and I differ in that respect. The same charity, therefore, it is not unreasonable to expect, will be extended to myself, because in all things that relate to the State and to the duties of civil life, I am bound by the same obligations with my fellow citizens, nor does any man subscribe more sincerely than myself to the maxim, 'Whatever ye would that men should do unto you, do ye so even unto them, for such is the law and the prophets.'"

Henry's speech produced a profound impression even outside of North Carolina, and the victory achieved was a powerful argument some years later when the struggle for religious liberty was going on in Maryland. In speaking on the Maryland Jew Bill, in 1818, the Hon. H. M. Brackenridge alluded to the incident as follows: "In the State of North Carolina there is a memorable instance on record of an attempt to expel Mr. Henry, a Jew, from the legislative body, of which he had been elected a member. The speech delivered on that occasion I hold in my hand. It is published in a collection called the 'American Orator,' a book given to your children at school and containing those republican truths you wish to see earliest implanted in their minds. Mr. Henry prevailed, and

it is a part of our education as Americans to love and cherish the sentiments uttered by him on that occasion." [39]

Later on, during the Maryland struggle in 1824, Col. J. W. D. Worthington, in the course of his speech, also recalled Henry's triumph in glowing terms.[40]

Despite all this, however, the victory was one in form only, not in substance. As a matter of fact, the test was more firmly implanted than ever. The House of Commons in permitting Henry to retain his seat, resorted to a far-fetched construction of the 32d Article, which emphasized rather than weakened its prohibition. The decision was based on the fact that the Constitution prohibited non-Protestants from holding office *in any civil department* of the State. This was interpreted not to exclude such persons from serving in the legislature. The legislative office, it was said, was *above all civil offices.*[41] The view was more pointedly defined by saying, that Catholics and Jews could make the laws but could neither execute nor interpret them.[42]

As years went by, several efforts were made to abolish the test altogether. In 1823 a Convention was held at Raleigh, called the "Western Convention." A motion was made "to expunge the 32nd Article as hostile to the principles of religious freedom and unworthy of the liberty of the age." A general concurrence in this sentiment was expressed, but the motion was withdrawn at the suggestion of Mr. Yancy,

[39] Speeches on the Jew Bill, etc., by H. M. Brackenridge, Philadelphia, 1829, p. 91.

[40] Speech of Col. J. W. D. Worthington, published with "Speeches on the Jew Bill," etc., by H. M. Brackenridge, Philadelphia, 1829, p. 107.

[41] This, according to Gaston, was the ground on which Henry retained his seat. See Speech of Hon. William Gaston, Baltimore, 1835, p. 23. Also Proceedings and Debates of the Convention of North Carolina (1835), Raleigh, 1836, p. 281.

[42] *Ibid.*, p. 282.

the president, on the ground that it was foreign to the objects of the Convention.[43]

Catholics were repeatedly elected to office, and several ingenious constructions were put upon the Constitutional prohibition, so as to enable them to serve. The fact that they did not deny the divine inspiration of both the Old and the New Testament, gave them, of course, a decided advantage over Jews and others. Catholics, furthermore, took the position that as the Constitution did not define what was meant by the Protestant religion, *their* belief could not be said to be a *denial* of it. "The Catholic believes in the Divinity of the Protestant faith and he also believes in something else besides," argued Judge Gaston, when the question was raised.[44] Afterward, however, Gaston was elected Justice of the Supreme Court; a doubt at once arose, even in his own mind, whether he could accept the office. The candidate then resorted to another and even more ingenious interpretation of the Constitution, which was subsequently followed in other cases as well. Section 32 prohibits only such persons from holding office *as shall deny* the truth of the Protestant religion or the divinity of both the Old and the New Testament. This, Gaston argued, did not prevent either Jews or Catholics from holding office, for the word "*deny*" implies an *overt act.* If a person tells me something, I may doubt it, but I need not deny. I may actually disbelieve the thing, and yet for reasons of courtesy refrain from denying it. While, therefore, a Catholic may actually disbelieve in Protestantism, for reason of courtesy, he should refrain from denying its truth. All that was contemplated by the Constitution, Gaston argued, was *that no person shall do that overt act of denying* the truth of

[43] See Gaston's Address in the Convention of 1835. *Ibid.*, p. 275.

[44] This argument Gaston used in his own defense, pointing out that Catholics could therefore conscientiously conform to the test. See Gaston's Address in the Convention of 1835, Proceedings, etc., p. 268.

the Protestant faith, that would discredit it with the community. To use his own words, "The Constitution does not prescribe the faith which entitles to or excludes from civil office, but demands from all those who hold office, that decent respect of the prevalent religion of the country which forbids them to impugn it, to declare it false, to arraign it as an imposition upon the credulity of the people." [45]

As already stated, this ingenious construction was generally adopted. Despite its apparent acceptance, however, Roman Catholics were doubtless far from convinced by its logic, and entered upon a systematic campaign for the abolition of the test.

In 1833, the General Assembly undertook to prepare a substitute for the existing Constitution. In the report accompanying the bill, the committee recommended that the 32d Article of the Constitution should be abolished at least in part, if not altogether. "Its spirit is in conflict with religious freedom; it has no practical use and it may be considered a mere badge of ancient prejudice, which, however excusable in those who first engrafted it upon our Constitution, is unworthy the present age of enlightened liberality." [46]

The substitute wholly expunged the test. A motion made

[45] Speech of Hon. William Gaston, Baltimore, 1835, p. 8. See also Gaston's Argument before the Convention of 1835, in which the whole subject is elaborately reviewed. Proceedings and Debates, etc., 1835, p. 267. Gaston made his argument in favor of this construction, even more forcible by pointing out that, as the Bill of Rights gives religious liberty, therefore any provision limiting religious freedom, must be *strictly* construed. *Ibid.*, pp. 266-7.

If Gaston's argument be accepted as correct construction, it will be noticed at once that Jews were on an equal footing with Roman Catholics, and that both could hold office notwithstanding Section 32.

[46] Proceedings and Debates of the Convention of North Carolina (1835), Raleigh, 1836, p. 277.

in the Senate, to insert it, was rejected by a vote of 23 to 38. A modification was then proposed omitting all those parts "which related to a denial of the divine authority of the New or Old Testament and of the truth of the Protestant religion," and this was adopted by a vote of 50 to 9.[47]

It was then submitted to the people to call a Convention to amend the Constitution. The result was the Convention of 1835.[48]

As already stated, the Catholics seem to have canvassed several of the counties on this one issue. The Convention met at Raleigh, and then despite the repeated statement made for years, that the objectionable clause was a dead letter, it at once became the very storm center of discussion. Seven days of the session were spent in debates concerning it, while about one-third of the entire Convention Journal is devoted to this subject alone.[49] Although there were but few Jews in the State it is most remarkable that their claims were discussed no less earnestly than those of Roman Catholics.

Two of the most prominent members of the Convention who had been absent on other occasions are recorded as having left their sick beds, expressly to vote on this one question. To the honor of both these men, be it said they were uncompromisingly in favor of the broadest religious liberty. The one was Mr. Carson,[50] the other was John Branch, of Halifax, once Governor of the State, United States Senator, and but

[47] *Ibid.*, p. 278.

[48] The Convention met at Raleigh, June 4, 1835, for the purpose of amending the Constitution of 1776. Also *ibid.*, pp. 278-9.

[49] *Ibid.* The discussion of the objectionable clause began June 26, 1835, and lasted, with slight interruption, until July 9, 1835. Nathaniel Macon was President of the Convention.

[50] Mr. Carson had represented North Carolina in Congress, 1825-33, and in the Convention he represented Burke County. See Proceedings and Debates of the Convention, 1835, p. 240.

a few years before Secretary of the Navy in Jackson's Cabinet.[51]

The debate was opened with a brilliant address by Weldon N. Edwards[52] in favor of the broadest possible view. "If we exclude one sect to-day," said he, "what sect will the reckless spirit of proscription next assail. . . . A system based on the principle that the consciences of men and their faith in matters of religion shall become an affair of government, cannot long be tolerated without a total enslavement of the citizen. . . . ."[53]

The Jews were practically the only sect not represented in the Convention. Roman Catholics,[54] Moravians,[55] and

[51] John Branch (1782-1863). Later Mr. Branch was also Governor of the Territory of Florida. See Appleton's Cyc. of Amer. Biog., Vol. I. Also Proceedings and Debates, etc., 1835, p. 213.

[52] See Appleton's Cyc. of Amer. Biog., II. Edwards represented North Carolina in Congress, 1816-27, later became President of the State Senate, and in 1861 was President of the Convention that passed the ordinance of secession.

[53] Proceedings and Debates of the Convention, etc. (1835), Raleigh, 1836, p. 216. "By retaining this article," he continued, "we proclaim that a particular faith shall be the price of office,—that all who do not conform to it shall be punished by an exclusion from the honors, emoluments, and distinctions which the humblest should be permitted to aspire to. . . . The only true way to keep religion and politics apart, is to confer no peculiar privileges on any one sect, but to extend equal protection to all." *Ibid.*, pp. 216-217.

[54] Gaston was the leading Roman Catholic in the Convention. His addresses and debates were dignified, broad, and manly. Another prominent speaker in favor of Roman Catholics was James W. Bryan, an Episcopalian. He also spoke in favor of the abolition of the entire article, and paid a glowing tribute to the memory of Jefferson for framing the Act for Religious Freedom in Virginia. *Ibid.*, pp. 219-236.

[55] Mr. Shober represented the Moravians. *Ibid.*, pp. 249-51.

Quakers, all had their spokesmen.[56] Several addresses were made full of the most bitter invective against Catholics.

The leaders of the Anti-Liberal party were Jesse Cooper[57] and James S. Smith, the latter of whom affected liberality by saying that no Catholic had ever been disturbed by the Constitutional prohibition. "It should be retained," he argued, "as the time might come when it would be needed. It should be kept as Sleeping Thunder."[58]

Nathaniel Macon, the friend of Jefferson and Madison, then 78 years of age, was also present on that occasion and made a powerful plea for abolishing the entire article.[59]

[56] James Wellborn, of Wilkes, spoke in favor of an amendment which would "exclude only atheists and infidels from having anything to do with the government." *Ibid.*, p. 242.

[57] Cooper's address is a bitter attack on Roman Catholics. *Ibid.*, p. 242.

[58] *Ibid.*, pp. 244, 310. A similar sentiment was expressed by Mr. Joiner. Smith appears to have held the narrowest views of all. Besides his firm opposition to Roman Catholics, his objection extended to the other sects as well. In his argument at the session on June 30, 1835, he stated that he was "not willing by expunging this article to let in Turks, Hindoos, and Jews. They might call him a bigot as much as they pleased, but he would not consent to this." . . . . "Must we swear the Turk on the Koran, must we separate the Holy Scriptures that we may swear the Jew on the Old Testament." (*Ibid.*, p. 308.)

[59] Proceedings and Debates of the Convention, etc. (1835), Raleigh, 1836, pp. 246-8. Nathaniel Macon (1757-1837) may well be called the "Grand Old Man" of North Carolina. Leaving Princeton at the outbreak of the American Revolution, he served as a soldier until 1782, when Gen. Greene urged him to accept the honor of State Senator, a position he held until 1785. He represented North Carolina in Congress from 1791 to 1815, when he became U. S. Senator, holding that dignity until 1828. He was Speaker of the House 1801-6. Although frequently offered high executive office, he refused whatever was not the gift of the people or their immediate representatives in the legislature. He was President, *pro. tem.*, of the Senate, 1825-7. John Randolph

"If a Hindoo were to come among us," said he, "and was fully qualified to discharge the duties of any office to which he might aspire, his religious belief should not constitute an objection why he should be debarred. Who made man a judge, that he should presume to interfere with the sacred rights of conscience?"[60]

Another powerful appeal was made by Kenneth Rayner[61] and lastly by Judge Gaston, who referred to the Henry incident.[62]

"The prohibitions in this article can exclude no one from seats in the General Assembly. . . . A seat in the Legislature is *above* offices or places of trust in the Civil Department and is not comprehended impliedly within these terms. If there had been any good reason to doubt this construction, such a doubt would have been removed by the adjudication of the Senate of the United States upon the impeachment of William Blount, and the decision of our House of Commons in the year 1808 in the case of Mr. Jacob Henry, a Jew, and a representative in that body from the County of Carteret."

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said of him, "He is the wisest, the purest, and the best man that I ever knew." See Appleton's Cyc. of Amer. Biog., Vol. IV

In the debate for the abolition of the test he took the broadest possible ground, namely, "that man is responsible to his Creator alone for his religious faith, and that no human power has any right to prescribe any particular opinions as a test of fitness for office."

[60] *Ibid.*, p. 246.

[61] Proceedings and Debates of the Convention (1835), Raleigh, 1836, pp. 254-264. Kenneth Rayner subsequently represented North Carolina in Congress, 1839-45. "Retain that article," said he, "and the Catholic and the Jew will be placed under the ban of proscription, no matter how great may be his merit; although he may love his country with a patriotism as pure as the first love of woman, although he may pour out his blood like water in her defense, yet for daring to worship God according to the dictates of his own conscience, you cut him off from all hope of political preferment and from all stimulus to a laudable ambition" (p. 263).

[62] *Ibid.*, p. 281.

Gaston's address is probably the most important address delivered in the Convention and well deserves more ample notice. The arguments used by him, have, however, been hereinbefore stated. See also *ibid.*, pp. 265-304. While Gaston contended on the one hand that the section did not disqualify Roman Catholics and others, yet he insisted on having it wholly expunged.

"The question is, ought there be any religious test in the Constitution? Shall any man be debarred from office merely because of his *opinions* on matters of religion? To me, it seems, the answer must be in the negative." (*Ibid.*, p. 283.)

In this address also occurs an eloquent tribute to Roger Williams, He also quotes from Swift, "We have just religion enough to hate, and not enough to love each other." The address was so highly esteemed that it was reprinted in pamphlet form. See "Speech of Hon. William Gaston, delivered in the Recent State Convention of North Carolina assembled for the purpose of revising the Constitution," Baltimore, 1835.

Similar liberal views were also expressed by other speakers, Mr. Harrington among others. *Ibid.*, p. 306.

During the debate a compromise measure had been offered which would enable Catholics to hold office, but would still exclude the other sects. The amendment was adopted and consisted in simply striking out the word "Protestant" and inserting the word "Christian" instead.[63]

Even after this concession, the noble champions of religious liberty did not remain silent. Mr. Edwards at once moved to amend the committee's report by inserting the following: "That all men have a natural and unalienable right to worship Almighty God according to the dictates of their own consciences, all religious tests as qualifications for office are incompatible with the principles of free government." This amendment was lost by a vote of 87 to 36. The most prominent men in the Convention, however, Gaston, Macon, Branch, and others, voting in its favor.[64]

[63] June 30, 1835. Proceedings and Debates, etc., p. 309. This was adopted by the body sitting as a Committee of the Whole.

[64] Session, July 1, 1835. *Ibid.*, p. 310.

Thereafter another amendment was offered by Mr. Jacocks excluding only atheists from office.[65]

Following this, Governor Branch made an impassioned plea on behalf of the Jews. He boldly stated that he would refuse to vote for the amendment as reported, as it did not remove the stain from the Constitution. To use his own words, "Striking out the word 'Protestant' and inserting the word 'Christian' would not cure the evil . . . . Why are the Jews to be excluded from office? They were the favorite people of the Almighty. Our Saviour and His disciples were Jews, and are there not men among the Jews as talented, as virtuous, as well qualified to fill any office in our Government as any other citizen in our Community. A Jew may be appointed to any office under the General Government. He may be raised to the Presidency of the United States, and why shall we refuse to admit him to any office under our government?"[66] Judge Daniel thereupon offered a liberal resolution,[67] but this was lost, as was also another offered by Mr. Holmes.[68]

[65] This amendment was as follows: "No person who shall deny the being of a God shall be capable of holding any office or place of trust or profit in the Civil Department within this State, provided that the liberty of conscience hereby secured shall not be construed to excuse acts of licentiousness or justify practices inconsistent with the peace or safety of the State."

It was lost by a vote of 82 to 42. *Ibid.*, p. 310.

[66] Proceedings and Debates of the Convention, etc. (1835), Raleigh, 1836, p. 311.

[67] "Resolved, that it is expedient to remove the disqualifications for office contained in the 32d Article, from all who do not deny the Being of a God and an accountability to Him for the deeds done in the body." This was lost, 80 to 46. *Ibid.*, pp. 311-12.

Judge Daniel at this time was Attorney-General, later he represented the State in Congress for many years.

[68] Mr. Holmes' substitute was as follows: "That no person who shall deny the Being of a God shall be capable of holding any office or place of trust or profit in the Civil Department

The original amendment to substitute the word "Christian" for "Protestant" then came to a vote. The compromise was championed by Mr. Carson, who himself had voted for a total abolition of the test.

"We were in favor," said he, "of a complete religious toleration. We have been defeated . . . If we cannot make room for the Jew, if he be thought worthy for office, let us not refuse the privilege for Christians of every denomination."[69] The compromise was carried, but some of the champions for absolute religious liberty, *deliberately voted against it* on the ground that they would have nothing less than a full and complete abolition of the test. Among these was Governor Branch.[70]

Even then the struggle was not closed; on July 9, 1835, the amendment came up for a second reading. There was, of course, no chance to change the vote, but nevertheless a brilliant appeal was made by Mr. Wilson.[71] "Why," said he,

within this State. The exercise and enjoyment of every religious profession and worship without discrimination shall forever be free to all persons in this State, providing the right hereby declared and established shall not be so construed as to excuse or justify practices incompatible with the freedom and safety of the State and, provided further, that no preference shall ever be given by law to any religious sect or mode of worship." Lost, 78 to 46. *Ibid.*, p. 311.

In this connection it is interesting to note that Mr. Toomer, who opposed the amendment, declared that "the Article is a mere declaration of principles and not a proscription of individuals from the enjoyment of any privilege. Infidels and Jews have been members of each branch of the General Assembly." *Ibid.*, p. 314.

[69] *Ibid.*, p. 329.

[70] The vote was 74 to 51. *Ibid.*, p. 331.

[71] Mr. Wilson spoke for the Quakers. It is interesting to note that in his address he laid stress on the fact that no hostility existed against the Jews. He defied his opponents to say "that there was the least hostility in the public mind against Jews or

"should Catholics be admitted to a participation in the offices of trust and profit in this State, while Jews, Quakers, and Deists are excluded. Is there anyone here prepared to say to his constituents that the Catholics have been found more trustworthy than the peaceful Quakers or the persecuted Jews?"[72]

He also pointed out that the Catholics would be no better off by substituting the word "Christian" for "Protestant," calling attention to the fact that the Presbyterian Convention at Pittsburg had then but recently adopted a resolution "that Catholicism cannot be recognized as a Christian Church."[73] Pleading for the Jew, he continued, "Who is prepared to say that there is not at this very moment among us, some son of Abraham who, fired by genius and prompted by the most laudable ambition, may, in the course of the next thirty years, by dint of his extraordinary talents, cultivated and nurtured by the most studious and unremitted industry, occupy the topmost place in the affections of the State. Is it unlikely?"[74]

Mr. Wilson then offered the following amendment: "Resolved, That all freemen, having the qualifications of age and property prescribed by the existing Constitution, and who, previously to entering upon official duties, shall take the oath of allegiance to this State, and the oaths to support the Constitution of this State and the Constitution of the United

Quakers. The only class against whom there was any excitement in the public mind was the Roman Catholics, and this was known to all." *Ibid.*, p. 387.

[72] *Ibid.*, p. 388. "There are but few Catholics in this State, still fewer Jews, while the Quakers are numerous."

[73] *Ibid.*, p. 390.

General Louis Dicken Wilson was one of the most beloved public men in North Carolina and had been a member of the legislature for many years. See Wheeler's Sketches, etc., Vol. II, p. 144.

[74] Proceedings and Debates of the Convention of 1835, Raleigh, 1836, p. 394.

States, shall be capable of holding any office of trust or profit within the Civil Department of this State." This amendment was lost and the original compromise was adopted.[75] The result, therefore, was, that Roman Catholics alone were emancipated in 1835.[76] The legal status of Jews, Quakers, Deists, and others remained entirely unchanged.

This result was severely critizised by the press at the time, and particularly by the "Newbern Spectator," whose comment was as follows: "The illiberal and disgraceful distinction which this article makes between Protestants and other sects of worshippers has long been condemned by nearly every intelligent man in the State, and it was hoped, indeed we believe, it was the intention of the people that this distinction should be done away by the Convention; but a majority of the members thought it better to retain the spirit of the odious restriction on liberty of conscience, notwithstanding the brilliant and convincing arguments used by Judge Gaston and other distinguished gentlemen in favor of a more liberal course." [77]

Matters now remained in this condition for many years until the agitation in favor of removing Jewish disability received a powerful stimulus from a Jew, outside of Carolina, a man whose services to the cause of American Judaism have never been fully appreciated, a zealous defender of his faith and at the said time a thorough American. I refer to

[75] *Ibid*, p. 397.

[76] It seems that this result aroused considerable anti-Catholic feeling throughout the State and that Gaston's Speech was published in pamphlet form partly to offset this outbreak. In fact the preface to the pamphlet states "The following speech derives extraordinary claims to attention from the attempts which have been frequent of late in various quarters, to rouse a spirit of religious persecution against a large and most estimable portion of our countrymen."

[77] See Preface to Gaston's Address. (Baltimore, 1835.)

Isaac Leeser, of Philadelphia.[78] In his periodical, "The Occident," he never ceased to call attention to the stain on American liberty existing in North Carolina. He seems also to have been in correspondence with Jews there, constantly urging them to take up the struggle.[79]

Finally, in 1858, the small Jewish Congregation at Wilmington, North Carolina, circulated a petition for the removal of the existing disability. This was presented to the legislature.[80] The daily press sympathized with the movement. The "Wilmington Journal," on September 20, 1858, wrote as follows: "We do not care for commencing any agitation or starting any new issue. We merely state our opinion that the invidious distinction in our State Constitution against the members of this religious denomination is not in accordance with the liberal spirit of the age in which we live. The number of Israelites in North Carolina is very small, and does not to our knowledge and belief, contain a single man who is an applicant for office of any kind, and therefore the incapacity for holding it, is more invidious because wholly gratuitous."[81]

As a result of the agitation a bill was introduced in the legislature, House Bill No. 83, which provided for the "repeal of so much of the section as prohibited persons of the Jewish or Israelitish faith from holding offices of profit or trust in the State." This bill was referred to the Committee on Judiciary whose chairman subsequently presented the following report: "The Committee are of opinion that the principle on which the bill is founded, is correct. No person should be proscribed or placed under any civil disability on

[78] Isaac Leeser (1806-1868). For sketch of his career see Jewish Encyclopedia, Vol. VII.

[79] See "The Occident," Vol. 16, pp. 408, 503, 531; Vol. 24, pp. 281, 382, etc.

[80] See also *ibid.*, Vol. 16, p. 531.

[81] See also *ibid.*, Vol. 16, pp. 408-9.

account of religious faith." The report then proceeds to laud religious liberty to the skies, calls the objectionable clause in the Constitution "a relic of bigotry and intolerance unfit to be associated in our fundamental law with the enlightened principles of representative government," but finally concludes, "Such are the views of the Committee; nevertheless the Committee have instructed me to report the bill to the House with the recommendation that it does not pass, because in the opinion of the committee, it is highly inexpedient to alter or amend the Constitution by legislative enactment in any particular whatsoever." [82]

The result aroused some sharp criticism, the "Wilmington Journal" claiming boldly that the matter was not one which concerned the few persons of the Jewish faith, but the reputation of the State of North Carolina.[83]

Isaac Leeser, however, continued the agitation. In December, 1858, a long dignified letter appeared from his pen in the Philadelphia "Evening Journal," in which he called the attention of the American public generally to the disqualifications then existing both in North Carolina and in New Hampshire,[84] but the slavery issue and the events preceding the great Civil War soon crowded out all other considerations.

Another effort was made when the Constitutional Convention met in 1861; and Leeser's "Occident" and other periodicals state that the desired result was actually accom-

[82] The Chairman of the Committee was John Kerr, who had represented the State in Congress, and later became Judge of the Superior Court.

The report is also given in "The Occident," Vol. 16, p. 503. The bill itself was finally tabled.

[83] See also "Occident," Vol. 16, p. 503, etc.

[84] See *ibid.*, p. 531. New Hampshire did not abolish the disqualification until 1876.

plished.[85] Investigation proves, however, that this was by no means the case. The Journal of the Convention shows that that body met at Raleigh May 20, 1861, voted for secession, joined the Confederacy, and then proceeded to a revision of the State Constitution. The question of the test was brought up on June 11, 1861, and Mr. Ruffin's amendment was carried, making the objectionable clause read as follows: "That no person who shall deny the Being of God or the Divine Authority of both the Old and the New Testaments, or who shall hold religious opinions incompatible with the freedom and safety of the State, shall be capable of holding any office or place of trust or profit in the Civil Department within this State."

Mr. Biggs then moved the following amendment, striking out all after the ordaining clause and inserting "No religious test shall ever be required as a qualification to any office or public trust in this State." This amendment was lost by a vote of 33 to 69.[86]

After the war, and in connection with the reconstruction, another Convention met at Raleigh in 1865. Though it appears from contemporary newspapers that Jewish emancipa-

[85] *Ibid.*, Vol. 24, p. 281. Speaking about the proposed Constitution of 1865, Leeser wrote: "We at once dreaded that the concessions made to Israelites in the Convention which voted the State out of the Union, would be stricken out from the new fundamental law."

[86] Journal of the Convention of the People of North Carolina, held on the 20th day of May, A. D. 1861, Raleigh, 1862, pp. 90-2.

Thomas Ruffin (1787-1870). Speaker of the Legislature, 1816, Chief Justice of North Carolina, 1829-52. See Appleton's Cyc. of Amer. Biog.

Asa Biggs represented North Carolina both in Congress (1845) and in the U. S. Senate (1854-8). In 1858 he became Judge of the U. S. District Court of North Carolina. See Appleton's Cyc. of Amer. Biog.

tion was agitated, the Convention Journal shows no trace of it.[87]

American Jews generally now became interested however. In September, 1866, the "Occident" published the following: "When we heard last year that a Convention was about to meet in North Carolina, for the purpose of revising the State Constitution, we urged the few of our persuasion we met from time to time to watch over the doings of the Convention . . . . The Executive Committee of the Board of Delegates on learning of the passage of the clause referred to, at once issued a notice or appeal to the people of North Carolina, ... but as the Constitution has been adopted by the Convention, of course the appeal came too late and is in fact perfectly useless. If the people have ratified the doings of their servants, the only remedy is by agitation, to excite the popular attention to the injustice done us, and thus obtain perchance through future legislation, a repeal of the obnoxious clause. We have already spoken to resident Israelites on the subject and we are confident that it will not be allowed to lie dormant. Not that we care for Jews holding office, but for the principle and this we would do if there were even no one fit to serve the State." [88]

The "Augusta Sentinel" sympathized with the movement,[89] and from a subsequent number of the "Occident" it appears that the proposed Constitution was rejected by the people,

[87] Journal of the Convention of the State of North Carolina, 1865-1866, Raleigh, 1866, p. 51.

[88] See also "The Occident," Vol. 24, p. 281.

[89] The "Augusta (Georgia) Sentinel" used the following language in this connection: "North Carolina occupies the unenviable position of being the only State in the Union which prescribes any religious test as a qualification for office." The article then makes an appeal for toleration and alludes to the patriotism of the Jews of the Confederacy during the Civil War. See also "Occident," Vol. 24, p. 281, etc.

though on other grounds.[90] Leeser once again earnestly urged the matter, but in vain, and it was not until the Constitutional Convention of 1868 that Jewish emancipation was accomplished. Strangely enough there appears to have been no debate on the latter occasion. When the report of the Committee on Suffrage and Eligibility to office was called for, the clause was thus worded:[91] "The following classes of persons shall be disqualified for office:

"1. All persons who shall deny the Being of Almighty God.

"2. All persons who shall have been convicted of treason, etc."

There was a strong minority report it is true, but it related mainly to negro disqualification. The elimination of the test was apparently taken as a matter of course.[92] No change has been made since 1868, so that, at present, the only persons debarred from holding office in North Carolina are atheists and infidels.

APPENDIX.

SPEECH OF MR. JACOB HENRY.

I certainly, Mr. Speaker, know not the design of the Declaration of Rights made by the people of this State in the year 1776, if it was not to consecrate certain great and fundamental rights and principles, which even the Constitution cannot impair; for the 44th section of the latter instrument declares that the Declaration of Rights ought never to be violated, on any pretense whatever; if there is any apparent difference between the two instruments, they ought, if possible, to be reconciled; but if there is a final repugnance between them, the Declaration of Rights must be considered paramount; for I believe it is to the Consti-

[90] *Ibid.*, p. 382.

[91] Journal of the Constitutional Convention of the State of North Carolina, 1868, Raleigh, 1868, p. 233. (Report of the Committee on Suffrage and Eligibility to Office.) Constitution, Article 6, Section 5. See also pp. 235-8.

[92] *Ibid.*

tution, as the Constitution is to law; it controls and directs it absolutely and conclusively. If, then, a belief in the Protestant religion is required by the Constitution to qualify a man for a seat in this house, and such qualification is dispensed with by the Declaration of Rights, the provision of the Constitution must be altogether inoperative; as the language of the Bill of Rights is, "that all men have a natural and inalienable right to worship Almighty God according to the dictates of their own consciences." It is undoubtedly a natural right, and when it is declared to be an inalienable one by the people in their sovereign and original capacity, any attempt to alienate either by the Constitution or by law, must be vain and fruitless.

It is difficult to conceive how such a provision crept into the Constitution, unless it is from the difficulty the human mind feels in suddenly emancipating itself from fetters by which it has long been enchained; and how adverse it is to the feelings and manners of the people of the present day every gentleman may satisfy himself by glancing at the religious belief of the persons who fill the various offices in this State: there are Presbyterians, Lutherans, Calvinists, Mennonists, Baptists, Trinitarians, and Unitarians. But, as far as my observation extends, there are fewer Protestants, in the strict sense of the word, used by the Constitution, than of any other persuasion; for I suppose that they meant by it, the Protestant religion as established by the law in England. For other persuasions we see houses of worship in almost every part of the State, but very few of the Protestant; so few, that indeed I fear that the people of this State would for some time remain unrepresented in this House, if that clause of the Constitution is supposed to be in force. So far from believing in the Thirty-nine Articles, I will venture to assert that a majority of the people never have read them.

If a man should hold religious principles incompatible with the freedom and safety of the State, I do not hesitate to pronounce that he should be excluded from the public councils of the same; and I trust if I know myself, no one would be more ready to aid and assist than myself. But I should really be at a loss to specify any known religious principles which are thus dangerous. It is surely a question between a man and his maker, and requires more than human attributes to pronounce which of the numerous sects prevailing in the world is most acceptible to the Deity. If a man fulfils the duties of that religion, which his education or his conscience has pointed to him as the true one,

no person, I hold, in this our land of liberty, has a right to arraign him at the bar of any inquisition; and the day, I trust, has long passed, when principles merely speculative were propagated by force; when the sincere and pious were made victims, and the light-minded bribed into hypocrites.

The purest homage man could render to the Almighty was in the sacrifice of his passions and the performance of his duties. That the ruler of the universe would receive with equal benignity the various offerings of man's adoration, if they proceeded from the heart. Governments only concern the actions and conduct of man, and not his speculative notions. Who among us feels himself so exalted above his fellows as to have a right to dictate to them any mode of belief? Shall this free country set an example of persecution, which even the returning reason of enslaved Europe would not submit to? Will you bind the conscience in chains, and fasten convictions upon the mind in spite of the conclusions of reason and of those ties and habitudes which are blended with every pulsation of the heart? Are you prepared to plunge at once from the sublime heights of moral legislation into the dark and gloomy caverns of superstitious ignorance? Will you drive from your shores and from the shelter of your constitution, all who do not lay their oblations on the same altar, observe the same ritual, and subscribe to the same dogmas? If so, which, among the various sects into which we are divided, shall be the favored one?

I should insult the understanding of this House, to suppose it possible that they could ever assent to such absurdities; for all know that persecution in all its shapes and modifications, is contrary to the genius of our government and the spirit of our laws, and that it can never produce any other effect than to render men hypocrites or martyrs.

When Charles V, Emperor of Germany, tired of the cares of government, resigned his crown to his son, he retired to a monastery, where he amused the evening of his life in regulating the movements of watches, endeavoring to make a number to keep the same time; but, not being able to make any two to go exactly alike, it led him to reflect upon the folly and crimes he had committed, in attempting the impossibility of making men think alike!

Nothing is more easily demonstrated than that the conduct alone is the subject of human laws, and that man ought to suffer civil disqualification for what he does, and not for what he thinks.

The mind can conceive laws only from Him, of whose Divine essence it is a portion; He alone can punish disobedience; for who else can know its movements, or estimate their merits? The religion I profess, inculcates every duty which man owes to his fellow men; it enjoins upon its votaries the practice of every virtue, and the detestation of every vice; it teaches them to hope for the favor of heaven exactly in proportion as their lives have been directed by just, honorable, and beneficent maxims. This, then, gentlemen, is my creed; it was impressed upon my infant mind, it has been the director of my youth, the monitor of my manhood, and will, I trust, be the consolation of my old age. At any rate, Mr. Speaker, I am sure that you cannot see anything in this religion, to deprive me of my seat in this house. So far as relates to my life and conduct, the examination of these I submit with cheerfulness to your candid and liberal construction. What may be the religion of him who made this objection against me, or whether he has any religion or not I am unable to say. I have never considered it my duty to pry into the belief of other members of this house. If their actions are upright and conduct just, the rest is for their own consideration, not for mine. I do not seek to make converts to my faith, whatever it may be esteemed in the eyes of my officious friend, nor do I exclude anyone from my esteem or friendship, because he and I differ in that respect. The same charity, therefore, it is not unreasonable to expect, will be extended to myself, because in all things that relate to the State and to the duties of civil life, I am bound by the same obligations with my fellow-citizens, nor does any man subscribe more sincerely than myself to the maxim, "Whatever ye would that men should do unto you, do ye so even unto them, for such is the law and the prophets."

JACOB PHILADELPHIA, MYSTIC AND PHYSICIST.

By Julius F. Sachse, Philadelphia.

For a number of years there was hanging upon the walls of the Historical Society of Pennsylvania a small engraved portrait. It was that of a man of benign countenance, rather past middle age, and clothed in the garb of the latter part of the 18th century. The face was full, and bore an expression of more than average intelligence. The head was covered with a professional wig, such as was then assumed by the learned classes. A peculiarity of this peruke was that it had but two rolls on the side and covered only a part of the head, while the *"zopf"* or *Haarbeutel* in the back was formed of the natural hair.

In the border surrounding the portrait appears the following inscription: "IACOB PHILADELPHIA, *gebohrn zu Philadelphia d. 14 Aug. 1735.*" Beneath the picture appears the legend *in raris rarissimus,* also the information that the portrait was drawn and engraved by C. W. Bock, of Nürnberg, and was to be found at the "*Tyroffischen*" establishment at Nürnberg, 1778.

Further than what is here stated, nothing whatever appears to have been known by any one connected with the Society, of either the portrait or of the original, nor was it even upon record how or when the Historical Society of Pennsylvania came into possession of this print.

Upon an occasion early in the present year (1896), the writer asked the late Dr. Frederick D. Stone, the librarian of the Society, for some information in reference to this picture. His answer was that he knew absolutely nothing about either picture or original; further, that he had it framed and hung

up in the hope that some one might see it who would be able to identify it, and thereby give some clue to the history and career of the original. Librarian Stone closed his remarks by saying that he knew of no one who was better equipped to solve this enigma than the present writer.

The task thus imposed was at once entered upon, to try and lift, if possible, the veil of mystery which had so long hovered around this picture.

The first step taken was to photograph the engraving, so as to obtain a negative from which duplicates could be made. One of these copies is here presented for your inspection, and it affords me great pleasure to present it to your organization.

The next step was to send a number of these prints to my correspondents in Germany. My efforts proved successful. The first clue to the identity of the original was a communication from my friend Dr. Hans Boesch, one of the learned directors of the Germanic National Museum at Nürnberg. This report, somewhat in the shape of a biographical sketch, compiled from data in their archives states that Jacob Philadelphia was one of the most celebrated mechanicians and physicists of the 18th century; further, that he was born at Philadelphia, Pennsylvania, in the year 1720, of Jewish parentage, and after receiving a fair education, and showing a liking for mathematics, physics, and the speculations of the Cabbala, he went into seclusion for several years, during which time he endeavored to master the higher mathematics, and perfect himself in the mechanic arts as well as metaphysics.

Now the question arises: Who was the preceptor of this young student who sought to perfect himself in occult lore, abtruse metaphysics and practical mechanics? Who were there in the Province of Penn at that early day competent to give such instruction, willing to interest themselves and instruct an humble, unknown, and obscure lad of a proscribed race, whose family name does not even appear to be known?

The answer to this question is comparatively an easy one.

At the period of our hero's youth and early manhood, there were yet living in the vicinity of Philadelphia, in the romantic fastness of the Wissahickon, three prominent survivors of the "Woman in the Wilderness," a mystical community of German Pietists, which was formed there in the year 1694. They were men well schooled in the speculations of the Cabbala.

The three Rosicrucian mystics, survivors of the old Pietistical community, were Johann Gottfried Seelig, Conrad Matthäi, and Dr. Christopher Witt. The first two were living in strict seclusion, as hermits or anchorites, while the latter lived in Germantown in a state of semi-retirement from the world, but practiced his profession. It is a well-known fact that the above mystical scholars were in the habit of imparting instruction to all who applied to them with an earnest desire for enlightment.

All indications point to Dr. Witt as the preceptor of our young student. These are further strengthened by the tradition that Dr. Witt at one time had a Jewish famulus.

Then again Dr. Witt was an expert mechanician, well versed in the mechanic arts and horology, as well as in the occult sciences and Cabbalistic lore. In addition to these accomplishments he was a botanist and astronomer of note; with him astrology was a favorite science, and his reputation as a practitioner of physic was second to none in the Province.

Dr. Christopher Witt also granted diplomas to his successful students, one of which was formerly in the collection of Samuel W. Pennypacker, of Pennsylvania. As this is the oldest known American medical diploma, and is evidently similar to the one granted to the subject of our narrative, it is here reproduced *verbatim et literatim.*

These may Inform all Whom it might Concern That Mr. John Kaighin of Hathfield in the Province of West New Jersey, hath Lived with me (hereunder named) a Considerable time, as a Disciple, to Learn the Arts & Mysteries of Chymistry, Physick & the Astral Sciences, whereby to make a more perfect Discovery

of the Hidden causes of more Occult & uncommon Disseases, not so easily to be discovered by the Vulgar Practice. In all which he has been verry Dilligent & Studious, as well as in the Administration of the Medicines & in the various Cases, wherein his Judgement may be safely depended, upon in all things, so far as he follows my Instructions. And hope he may in all things answer the Confidence that may be reposed in him.

Germantown, Febr. 20, 1758.

C. Witt.

It will thus be seen that if young Jacob imbibed his knowledge from such a preceptor, his accomplishments could have been of no mean order and that after concluding his studies at Germantown, and serving his final term of seclusion and retirement in the fastness of the Wissahickon, passing his time in study and the contemplation of nature, the young physicist was well equipped to go abroad and take his place among the learned students of Europe.

The youthful scientist now assumed the name of his native city, Philadelphia, and sailed for England. He went fortified with letters of introduction to Lord Henry Frederick, Duke of Cumberland, who was a correspondent of Dr. Witt. Upon his arrival he was received graciously by the Duke, who at once became his patron; and several years were spent by Jacob upon one of the Ducal estates, during which time he was engaged in mechanical experiments and further perfecting himself in the mathematical sciences.

Finally, in the year 1758, after the death of his noble patron, the American physicist delivered a series of public lectures upon the mechanic arts and kindred subjects, or, as my German informant states, his lectures were illustrated with *Mathematisch-physicalische Experimente.*

So successful were these discourses that they were repeated in various cities throughout England. After closing his tour of the English towns, Jacob went to Portugal. It is this fact that leads us to infer that the family of the subject of our discourse were what are known as Portuguese Jews, who prob-

ably came to this colony from one of the West Indian Islands, or from South America. After a short stay in Portugal it appears that the Philadelphian travelled through various countries, visiting all the leading cities and centers of learning, repeating his experiments and lectures, and attracting universal attention among the learned and wealthy classes. Jacob himself claims to have spent some time in both Egypt and India in the time intervening between his departure from Portugal and his reappearance in Germany.

It was while lecturing in the old free imperial city of Nürnberg, in 1778, that his portrait was engraved by a local artist, a copy of whose work has excited so much speculation, after the lapse of almost a century and a quarter, and which is now responsible for this paper.

Jacob's last lectures, so far as known to my German correspondent, were supposed to have been delivered in Switzerland in 1781, after which he seems to have temporarily retired from the public platform. Many sagas and legends were current for years among the common folk in Southern Germany as to some strange and mysterious end of our philosopher. In the minds of the uneducated, Jacob Philadelphia figured as a magician and conjurer who was on familiar terms with the demons. That these tales are without foundation and far from the truth, is shown by the records of Schulpforte, a noted seat of learning in Saxony, where he sojourned in 1794-5. He also appears to have visited Kehl on the Rhine opposite Strassburg, and Köthen in the Duchy of Anhalt in 1797.

Nothing definitely appears to be known as to the time and manner of his death. One of the common reports states that he died while travelling in the Alps. Another account informs us that he married before his death and abjured Judaism. No proof or evidence of either of these statements can be found.

It will be noticed that there appears to be a discrepancy between the dates of his birth as given upon the engraved

portrait and that of the biographical sketch received from Nürnberg. The former says 1735, the latter, 1720, which is evidently nearer the true one, as another contemporaneous sketch, which has since come to my notice, mentions his birth at Philadelphia in the early years of the 18th century. Then again the other dates given in the same document are susceptible of verification. A careful search in the local records had thus far failed to give any definite clue as to the birth or parentage of our pioneer physicist.

Judging from his portrait, his face appears to be more of a Dutch type than either German or Semitic. It really matters but little which date is the correct one, as either is, with perhaps a single exception (if we leave out the statements of Von Beck in his Reise Diarium of 1734) the earliest record of any resident Jewish family in Pennsylvania. The statements made some years ago in a lecture before the Young Men's Hebrew Association in Philadelphia, and which have since been incorporated by Westcott in his history, "that a Jewish family lived in Philadelphia as early as 1726," and further that a special act was passed by Council in favor of Arnold Bamberger, whereby he and others were permitted "to hold lands and engage in trade and commerce," are not warranted by the true facts of the case. A reference to the act in question (Statutes at Large, Volume III,) will show that Bamberger and his associates were not of the Jewish faith, but Protestants of the Lutheran and Reformed religion, and all took oath of allegiance as such. I have stated that there was perhaps a single record, earlier than that which relates to our physicist. This is to be found in a letter written about the close of the year 1700, by Colonel Robert Quarry, Judge of the Court of Vice-Admiralty. It is headed "A Brief Narrative of the Proceedings of William Penn." The original manuscript is now in the archives of the London Society for the Propagation of the Gospel in Foreign Parts, and covers the period of Penn's second visit to the Province.

It was partly printed in Perry's Historical Collections relating to the American Church; Vol. II, pp. 1-4. In this communication, Col. Quarry mentions that a "sweet singer of Israel" was appointed by Penn one of the Justices of the City of Philadelphia, and afterwards continued upon the commission.

Now the phrase "sweet singer of Israel" is sometimes used as a mere pleasantry to signify a chorister, minister or preacher. But in Quarry's context it almost certainly means a Jew, because that writer tells us that the Commission consisted of "six strong Foxian Quakers, one Swede and a sweet singer of Israel," besides three Churchmen.

Who this "sweet singer of Israel" was I have been unable to discover, even after a diligent and protracted search among our early Colonial records.

From this meager data in sight at the present time, we may safely assume that Jacob, the scion of a Jewish family in Provincial Pennsylvania, unknown as to name and station, was the first child born in this colony of Jewish parents, of which we have either record or tradition, and who raised himself by his own efforts and accomplishments to the foremost rank in the scientific circles of Europe, at a day when every possible restriction was placed upon Judah's children.

Pressing engagements have prevented me from further investigations into the English and Continental career of Jacob Philadelphia, beyond the bounds which I have here brought before you.

I now leave the field open for more able pens and brighter minds. It is a wide and fair one, and offers to the investigator a fine chance for a historical romance, showing how a child of that ancient race, born in the sylvan town on the Delaware, when the first George yet reigned over this fair land, and the Quaker party was dominant, became by his accomplishments a marvel to the scientific and educated circles of the world, as is set forth in the career of Jacob Philadelphia, Mystic and Physicist.

Since the above paper was written, the following additional information has been received from Germany, and will form an interesting finale to our sketch of Jacob Philadelphia.

It appears that our physicist was engaged to appear and lecture before the University of Göttingen, January 9, 1777. Upon the day before his arrival, the town was placarded with a number of posters, which was chiefly the work of the celebrated Georg Christoph Lichtenberg, and was intended as a harmless burlesque or pasquinade on the American physicist. The placards were quietly printed and posted during the stillness of the night. It was afterwards stated when the matter was judicially investigated, that the whole matter was conceived and done on the spur of the moment. The conception and execution all being the work of a single night.

The mystical cut that appeared at the head of the poster, happened to be on hand in the printing office, where it had been used as a headpiece for a work on George Moller, a fanatical character of that day; and it is to him that the "*Chronostichon*" alludes, and has nothing whatever to do with the subject of this memoir.

When Jacob Philadelphia saw these placards upon his arrival at Göttingen, he failed to perceive the intended joke and quietly left the town with his retinue before dawn the next morning. All attempts to make him return proved fruitless; nor could he ever after be induced to lecture before the University of Göttingen.

Following is a translation of the placard, with a reduced facsimile of the two cuts that appeared upon it:

ADVERTISSEMENT.

All lovers of Supernatural Physic are hereby informed, that in a few days, the world renowned Magician, PHILADELPHUS PHILADELPHIA whom Cardanus already mentioned in his book "*de natura supernaturali*" wherein he designates him as the "Envied one of Heaven and Hell," will arive here by the ordinary Post-chaise, although it would have been an easy matter for him to have come through the air.

He is the same person, who in the year 1482, in the Market place at Venice, threw a ball of twine up into the clouds and then climbed up the strand until he was out of sight.

AVERTISSEMENT.

Allen Liebhabern der übernatürlichen Physik wird hierdurch bekannt gemacht, daß vor ein Paar Tagen der weltberühmte Zauberer Philadelphus Philadelphia, dessen schon Cardanus in seinem Buche de natura supernaturali Erwähnung thut, indem er ihn den von Himmel und Hölle Beneideten nennt,

He will commence his exhibitions upon the ninth of January, of this year, at the local Merchants Exchange (Kaufhaus), to exhibit Publico-secretly his One-Thaler performance, and will weekly advance to more elaborate ones, until finally he reaches

his 500 Louis d'or performance. Among which, several to speak without bragging;—surpass the wonderfull, in fact so to say, are actually impossible.

He has had the great honor to appear before all high and low Potentates in the four quarters of the world, and last week even appeared in the fifth quarter, before her Majesty the Queen OBEREA of Otaheite, with the greatest acclamation for his performance.

He will be seen here every day except Monday and Thursdays, as he then appears before the Honorable Continental Congress of his Countrymen in Philadelphia, and disperses their cares. Also not from eleven to twelve in the mornings, as at that time he is engaged at Constantinople, nor from twelve to one, when he dines.

At the daily performances of One Thaler, following pieces, if not among his best performances, are selected as they could be described with fewest words:

(1) He takes, without leaving the room, the weather cock from the spire of St. Jacobi Church and places him on the spire of St. Johannis Church, and at the same time takes the vane from the Johannis tower and places it on the Jacobi church steeple, after the transposed vanes have turned a few minutes in their new position, he causes them to again resume their proper position.

N. B. All this is done without a Magnet, merely by Leger-demain.

(2) He takes two of the ladies present, stands them upon their head, upon a table, their feet high in the air, he then twirls them around so that they revolve like a top with incredible rapidity, all without detriment to their head dressing, or affecting decency in the direction of their skirts, to the great satisfaction of all present.

(3) He takes six ounces of the best Arsenic, powders and boils it in two cans of milk, and treats the ladies with it. As soon as any become uneasy, he gives them two or three spoons full of molten lead, and the company separates smilingly and in good humor.

(4) He calls for a wood axe, then strikes an attendant upon the head that he falls dead to the floor. While lying on the floor, he again strikes him with an axe, upon which the man jumps up and asks what kind of music that was. Otherwise he was as sound as ever.

(5) He calls up three or four of the ladies present, extracts their teeth gently, then places them all promiscuously in a bag and requests one of the company present to shake them up thoroughly, they are then loaded in a small field piece, which is aimed at the ladies' heads and fired. When immediately each again has her own teeth,—clean and white.

(6) A Meta-physical piece, otherwise commonly called "*meta physica.*" Wherein he proves, that actually something, at the same time can be, and cannot be. This requires great preparation and expense and he only includes this in his Thaler exhitions in honor of the University.

(7) He takes all Watches, Rings and Jewels of those present, also cash if it is offered, and then gives every one a bill for the same. Thereupon he throws all in a chest, locks it and at once leaves with it for the next town. (Cassel.)

After a lapse of eight days each person tears up his bill, and as soon as the destruction is complete, the Watches, rings and Jewels immediately re-appear.

(With this trick he has earned much money.)

N. B. This week in the upper lofts of the Warehouse; later high up in the open air, over the Market place. As he who pays nothing,—sees nothing.

GÖTTINGEN, January 7, 1777.

JACOB PHILADELPHIA AND FREDERICK THE GREAT.

Contributed, with Notes, by Prof. Dr. Ludwig Geiger, Berlin.

I.

(*Transcript of Berlin Public Records.*)

Im Geh. St. Arch. Berlin, Akten bezitcher den Amerik. Handel u. Krieg betr. Tib. LVIII, Vol. 2. finden sich folgende Schriftstücke.

Hoch und Wohlgeborner Frey Herr.
Gnädiger und Hochgebiethender Herr
Geheimer Staats Krieges und dirigirender Minister.

Der sich in Köthen aufhaltender Jude und berühmte Künstler Jacob Philadelphia hat mir vor einigen Tagen einliegendes Pro Memoria um solches Ew. Excell. unterthänigst zu überreichen zugestellet. Da ich nun nicht weiss in wie weit an seinen Vorschlägen Gebrauch zu machen, seyn könnte, so überlasse Ew. Excell. mir güthigst zu befehlen, ob sich der Philadelphia in Berlin oder bey Ew. Excell. Anwesenheit in Kahnert um seine Vorschläge näher zu detälliren persönlich einfinden soll.

Ich beharre mit der tiefsten Ehrfurcht

Ew. Excell.
unterthänig gehorsamster
C. H. Stilcke.

Magdeburg
d. 14 Juny 1783.

UNTERTHÄNIGSTE VORSTELLUNG.

An Ew. Königl. Hochpreissl. General Directorum in Berlin.

Nachdem ich von meiner Jugend auf in America gewesen und daselbst erzogen worden, folglich diesen Welttheil sowohl zu Land durchgangen als zu Wasser befahren und mir alle Handlungs Häfen und Märckte bekannt sind, auch die Handlung, so daselbst geführet wird, und bei jeziger Veränderung mit Nord America noch mit grösserem Nutzen zu führen stehet, besser als

jemand anders bekannt worden, weil ich daselbst sowohl zu Lande als zur See sowohl mit denen Engländern und Einwohnern als auch mit denen Wilden, erlaubten wie auch Schleichhandel betrieben und bis hinter Quebeck an 80 deutsche Meilen gekommen, mir lange Zeit daselbst aufgehalten, mit denen Wilden umgegangen und sehr gut Bescheid weiss, so dass ich nicht allein die Americanische Sprache, so mit denen Wilden geredet wird, sondern auch die Englische und africansch Guinesische, so mit denen Negers geredet wird, sämtlich besser als die teutsche Sprache spreche, welches sich in Teutschland so leicht niemand wird rühmen können, also bei jetziger freyer Handels Verfassung, jede Nation, so dahin Commerce wird machen wollen, viele Jahre wird müssen hinstreichen lassen und viel Lehrgeld erstlich wird geben müssen, ehe und bevor man die wahren Vortheilen der Americanischen Handlung wird einsehen können. Es wird zwar in denen nach America rendirenden Waaren kein Mangel an Absatz sein, auch die nach Europa retour rendirenden Waaren werden in Ueberfluss zu haben stehn; allein ob es mit demjenigene Avanze geschehen wird, welchen man davon haben könnte, wann man die Handlung von America recht besizen und verstehen thäte, dieses ist die Haupt-Frage. Dann ebenso wie man die Leinewandt um 10 bis 12 p. C. besser in Cadix und Lissabon absezen kann als in Hamburg, Lübeck oder Bremen, welche drei Plätze doch auch in Europa liegen, eben dergleichen Laage und Bewandtniss hat es mit America und dessen Handlung, wo man auf die unrechten Plätze und Märckte gemeinighlich 10 uná mehrerer pro Conto verliehret, wenn man keine weitere Kenntniss davon hat und man die Waaren in den ersten besten Hafen ausschifft und verkauft. Da ich nun alle Vortheile der Americanischen Handlung besitze, und im Standte bin, selbige nachzuweisen,—so erkühne ich mich, meinen unterthänigsten Antrag zuvorderst und zu allererst an Ein Königl. hochpreissl. General Directorium zu machen und meine Unterthänigsten Dienste zu einer Handlung nach America zu offeriren. Ich bin erböthig diejenigen Häfen, Handels Plätze und Märckte anzuzeigen—und an Händen zu geben, wo man jeden nach America rendirenden Articul-Waaren, am vortheilhaftesten absetzen kann und wo man dagegen auch am profitabelsten die nach Europa rendirenden Waaren wieder einkauffen kann; besonders als die Haupt Articul Leinewandt, ordinaire Tücher, wollene Strümpfe und Mützen etc., davon will ich die besten Häfen und Märckte zum Absatz anzeigen, gleich wie ich auch die besten

Plätze zum Einkauff von Toback und rohen Ochsen-oder Wild-Häuthen und Rauch-Waaren, an welchen diesen Articuln, Englandt vor diesen, so grossen Nutzen gezogen, aufgeben werde. Es finden sich noch verschiedene Articul-Waaren und Producte, so in Ihro Königl. Majestät. von Preussen Staaten fabricirt und gewonnen werden und auch in America mit Nutzen abzusetzen seyn, als z. E. Porcellain, Sammet, Eisen Blaue Farbe, Goldene und Silberne Dressen, Hüthe, Spiegel und Glass-Waaren etc., und dergleichen noch mehrere Articul, wovon ich besonders noch einen weiss, so mir vor jetzo noch vorbehalte, an welchen reine Profit jederzeit 20 p. Ct. fallen muss. Ich offerire mich zugleich mit denen Schiffen und Waaren 3 bis 4 mah selbst mit hinaus zu fahren, den Einkauf und Absatz der Waaren selbst mit zu besorgen und das Commerce ins Geleis zu bringen. Dagegen verlange ich unterthänigst vor Anzeigung und Regulirung dieses Commerce in America eine jährliche Pension auf meine Lebens-Zeit. Wird mir diese, wie auch die Reise, Spesen vorerst nach Berlin unterthänigst bewilliget, so bin ich bereit, sogleich die Geheimnisse und Wissenschaften dieser Handlung, anzugeben und zu entdecken, desgleichen will ich auch noch über dieses, die beste Jahreszeit zum Auslauffen der Schiffe angeben und die Schiffe zur See selbst dirigiren, weile ich zur See befahren bin, und nicht allein America sondern auch Asia und Africa befahren habe und alle nur möglichen Kenntnisse von der Schiffahrt besitze selbst das Steuer Ruder zu führen und die Fahrten nach America zu machen weiss. Es ist dieses von mir in America und Englandt bekannt, allwo ich mit denen grössesten See-Helden jetziger Zeit in Englandt wie auch mit dem bekanndten und berühmten See-Capitain Locks zur See Fahrten gemacht habe, welcher letzterer wie auch der verunglückte Mechanicus so sich in den Schiff einsperren lassen und in den Grund des Meeres herrabgelassen hat, um von selbst mit dem Schiff wieder hervorzukommen, meine sehr intimen Freunde gewesen, an welchen leztern Project ich mit selbige selbst lange Jahre zuvor gearbeitet habe und meiner Anlage nach sicher nicht verunglückt seyn würde.

Würde eine dergleiche Americanische Handlung vor Ihro Königl. Majestait höchst eigene Rechnung angelegt, so würde ein sehr grosser Gewinn dabey seyn und allein durch den Americanischen Toback auf einer Fahrt die Ausrüstungskosten der Schiffe bezahlt werden. Sollte es durch Actien geschehen und eine Compagnie angelegt werden, so würden die resp.

Interessenten in Zeit von 5 bis 6 Jahren nich allein Ihre Interessen zu 6 p. Ct. sondern auch selbst das Capital zurück halten und in der Folge diese Handlung mit ihren eignen Gewinn betreiben können. Welcher grossen Nutzen und Vortheil noch über dieses denen Fabriquen und überhaupt denen Königl. Staaten, durch Errichtung einer dergleichen Handlungs-Compagnie entstehen könnte, wird hohen Orts eher und besser eingesehn, als von mir angegeben werden können. Unterthänigster Knecht.

JACOB PHILADELPHIA.

Köthen, den 27 May, 1783.

Berlin, den 11ten Juni, 1783.

An den Herrn Banco-Direktor Stilcke in Magdeburg.

Ew. Hoch Edelgeb. bin ich zwar für das mir unterm 14ten dieses gefällig zugesandte Pro Memoria des Juden Jacob Philadelphia den Americanischen Handel betreffend sehr verbunden; es sind aber jetzt noch wichtige Bedenklichkeiten die verhindern dass davon vor der Hand Gebrauch gemacht werden kann. Ich bitte dieses dem Philadelphia vorläufig bekannt zu machen und bin mit vorzüglicher Consideration Ew. Hoch Edelgeboren.

SCHULENBERG.

II.

Die merkwürdige Persönlichkeit, von der das Hauptstück, der oben abgedruckten Schreiben herrührt, ist keineswegs völlig unbekannt. Gereicht der Mann dem Judentum auch nicht eben zur besonderen Zierde, so lohnt es sich doch in Kürze von ihm zu handeln. Für den, der nicht gewohnt ist Aktenstücke, zumal deutsche in einer amerikanischen Zeitschrift zu lesen, möge Folgendes hervorgehoben werden. Die drei Aktenstücke haben sich im Berliner Geheimen Staatsarchiv erhalten, am Ende eines ziemlich starken Bandes, der die über die Handelsbeziehungen zwischen Preussen und Amerika im Jahre 1776 ff-gewechselten Briefe enthält. Philadelphia fing von 1758 an Kunststücke auf eigene Faust zum Besten zu geben, ging, nachdem er in Amerika Erfolge davon getragen hatte, nach England und Portugal, und erschien

mehrfach in Deutschland. 1778 lässt er sich in Nürnberg nachweisen, wo das oben erwöhnte Bild von ihm gemacht wurde. Andere Notizen weisen nach Schulpforta, der berühmten deutschen Lehranstalt, 1794-95, die letzten nach Kehl und Strassburg, Gotha 1795.

Philadelphia, der für einige Zeit—aus welchen Gründen ist unbekannt—in Köthen lebte, trug Bedenken sein Schreiben direkt abzuschicken, in der leicht begreiflichen Furcht ohne Weiteres abgewiesen zur werden und übergab es einem, ihm vermutlich persönlich bekannten höheren preussischen Beamten, der wahrscheinlich zu seinen Gläubigen zählte. Daher ist auch die, freilich höfliche, aber durchaus ablehnende Antwort—letztere nur im Konzept erhalten, während die beiden übrigen Schriftstücke im Original vorliegen—nicht an Philadelphia, sondern an den Bankdirektor in Magdeburg gerichtet.

Die Schreiben werden hier durchaus noch den Original mitgeteilt, völlig in der seltsamen Schreibung der Urschrift, auch mit Beibehaltung aller Eigentümlichkeiten der Orthographie, so dass die von dem Schreiber gewählte Form behalten haben.

Im Jahre 1895 schrieb ich in meinem Werke, über Berlins Geistiges Leben I, S. 632: "Im Jahre 1775 machte ein angeblich amerikanischer Tausendkünstler, Jakob Philadelphia viel von sich reden." Dies "angeblich" entnahm ich wahrscheinlich aus den wegwerfenden und skeptischen Anzeigen Berliner Blätter damaliger Zeit. In unseren Konversationslexicis in Sammelwerken, wie der allgemeinen deutschen Biographie und in Meusels Schriftstellerlexikon ist über den Mann nichts zu finden; ich erinnere mich auch nicht in den jüdischen Quellen jener Zeit ihm begegnet zu sein. Auch in Goethes und Schillers Briefen, in des Ersteren Annalen und Gesprächen kommt der Name nicht vor; auch ist es mir nicht gelungen, in den Werken der beiden Weimarerer Grossen

eine Erinnerung an sein Wirken aufzuspüren. Man darf wohl bestimmt sagen, dass Goethe seiner gedacht hätte, wenn er ihn in Frankfurt oder Weimar gesehen hätte. Lessings und Klopstocks Briefe lassen mich ebenso im Stich, wie manche andere Briefsammlung jener Zeit, die ich zu jenem Zwecke durchgenommen habe. Nur *ein* deutscher Schriftsteller hat ihn etwas breiter behandelt, nämlich C. G. Lichtenberg. Als sich Philadelphia nämlich auf seiner ersten (oder zweiten?) Reise nach Europa auch in dem kleinen Göttingen präsentierte, wo ein Tausendkünstler natürlich viel mehr Aufsehen machen musste, als in einer grösseren Stadt, da schrieb Lichtenberg (vgl. die schöne Ausgabe seiner Briefe von Schüddekopf und Leitzmann, Leipzig 1901, Band I. S. 273. 9. Januar 1777, vgl. aber auch mehrere andere Aeusserungen 274 and 277): "Philadelphia ist hier und hat diese drei, vier Tage über in Gesellschaften von 30 Personen jede à 1 Thaler gespielt. Ich habe mich aber zweimal, da ich zu solchen Gesellschaften gezogen werden sollte, entschuldigt, heute aber spielt er auf dem Kaufhause und da bin ich dabei, habe auch schon mein Billet in der Tasche, man muss die Leute auf ihrer eigenen Stube sprechen. Er wird indessen eine gute Menge Geldes hier wegnehmen." Am 16. berichtete er, dass er etwa 500 Thaler in Göttingen gewonnen und am 20., dass er verschwunden sei.

Wichtiger aber als diese brieflichen Notizen ist die Satire, die Lichtenberg gegen Philadelphia veröffentlichte und die in allen Ausgaben seiner Schriften zu finden ist. Der Aerger, dass die Zuschauer an übernatürliche Dinge glaubten und dass sie sich durch einen, zwar geschickten, aber auf die Leichtgläubigkeit der Masse spekulierenden Künstler das Geld aus der Tasche ziehen liessen, veranlasste Lichtenberg ein scherzhaftes, mit alten Holzschnitten geschmücktes Avertissement zu schreiben, bei seinem Freunde, dem Buchhändler Dietrich drucken zu lassen und in Göttingen zu verbreiten. Darin übertrumpfte er alle die übertriebenen Lob-

reden, die Philadelphia von sich mitteilte, und legt ihm nicht ohn Witz das Versprechen der törichtesten Dinge in den Mund, z. B., "Er zieht drei bis vier Damen die Zähne sanft aus, lässt sie von der Gesellschaft in einen Beutel sorgfältig durcheinanderschütteln, lädt sie alsdann in ein kleines Feldstück und feuert sie besagten Damen auf die Köpfe, wo dann jede ihre Zähne rein und weiss wieder hat." Dieses Avertissement, in der noch viele andere Torheiten versprochen wurden, hatte die Folge, dass Philadelphia, der wie jener Buchhändler Dietrich, in einem Briefe des Jahres 1799 meldete, "Juden und Studenten als unterstützende Freunde" besass, aus Göttingen verduftete und nicht erst versuchte ganz besondere Kunststücke aufzuführen, die er vor dem grossen Publikum geheim hielt und nur für *den* Fall versprochen hatte, dass sich hundert Zuschauer mit einem Eintrittsgelde von je einem Louisd'or meldeten. Dietrich berichtete in dem angeführten Briefe, dass Philadelphia nach Gotha ging, von wo er auch vertrieben wurde und dass der bekannte Sprachforscher Adelung den Lichtenbergschen Zettel in einem Leipziger Blatte drucken liess. "Auf solche Art," so schliesst Dietrich, "wurde Philadelphia in Deutschland verfolgt und gezüchtigt."

Ganz genau läst sich der Dietrich'sche Bericht nicht kontrollieren; man kann nur nachweisen, dass Philadelphia in Gotha war. Aber H. A. O. Reichard berichtet in seiner Selbstbiographie S. 318 nur, dass Herzog Ernst von Gotha sich von Philadelphia in seine "Täuschungskünste" einweihen liess (der Biograph A. Beck, Gotha 1854 meldet nichts davon); von der Vertreibung aus Gotha ist indessen nicht die Rede. Sicher war Philadelphia eine sehr bekannte Erscheinung und blieb es noch lange Zeit; noch 1857 kommt in einen Briefe Varnhagens an Kerner (dessen Briefsammlung II, 488), eine Reminiscenz an den Zauberer und manchen seiner Genossen vor.

Alles dieses muss man sich vergegenwärtigen, wenn man die

vorstehenden Briefe verstehen und richtig würdigen will. Von den oben mitgeteilten Briefen wusste man bisher nur sehr im Allgemeinen. Fr. Kapp hatte in seinem Buche: "Beziehungen Friedrichs des Grossen zu den Vereinigten Staaten," Leipzig, 1871, die Tatsache des Schreibens und die Abweisung des Petenten gemeldet. Er sagt: Ende Mai, 1783, machte der in Köthen sich aufhaltende Jude und berühmte Künstler, Jakob Philadelphia Vorschläge zur Eröffnung von Handelsbeziehungen mit den Amerikanern die er von Jugend auf kenne, wurde aber auch abschlägig beschieden. Aus den Akten, die ich durcharbeiten musste, um Philadelphias Schreiben kennen zu lernen—sie finden sich erst am Ende des II. Bandes—erkennt man die Zurückhaltung, die der preussische König dem ungestümen Liebeswerben der offiziellen amerikanischen Agenten, besonders Arthur Lee entgegenbrachte, wie er dem Anlaufen seiner Häfen widersprach mit der ständigen Ausrede, dass er keine Kriegsflotte besitze und die Einleitung von Handelsbeziehungen verschob bis sich grössere Ruhe entwickelt und eine klare Aussicht in die Verhältnisse gestaltet habe. Viel leichteres Spiel würde der grosse König dem ungestümen Gesuch gegenüber gehabt haben, wenn er es überhaupt zu Gesicht bekommen hätte. Aber es ging gewiss nur seinen ressortmässigen Weg, d. h. es wurde dem Generaldirektorium vorgelegt und von ihm, bezw. seinem Chef, dem Grafen Schulenburg erledigt. Eine Abweisung von dieser Seite musste erfolgen, schon wegen der Abneigung, die damals gegen die Juden herrschte, vor allen Dingen wegen des ganzten Tones unseres Schreibens. Das musste sich jeder sagen, dass ein Zauberkünstler nicht zugleich ein bedeutender Handelsagent sein könne und alle Leser, wenn sie auch keine grossen Psychologen waren, konnten auf den ersten Blick erkennen, wes Geistes Kind der Bittsteller war. Eine unerhörte Selbstüberhebung spricht aus seinem Gesuch: er ist der Grosskaufmann, der Seekünstler, der Sprachmeister. Und wie er sich einem verehrungswürdigen Publikum in

Göttingen und anderswo für die gewöhnlichen Dinge auf gewöhnliche Weise empfahl, irgend ein Pracht- oder Prunkstück aber nur unter besonderen Bedingungen zu zeigen versprach, so fehlt es auch hier nicht an Geheimniskrämerei, die eine besonders wichtige Enthüllung nur gegen ein Extrahonorar verspricht. Die kurzerhand erfolgte Abweisung eines solchen Projektenmachers darf daher nicht wundernehmen; sie würde ganz gewiss auch geschehen sein, wenn der Petent kein Jude gewesen wäre.[1]

Jacob Philadelphia was thus privileged to lend a hand in urging trade relations with the United States, which Frederick II took up the year afterwards, and his treaty is famous because it embodies the great principle of modern international law that "free ships make free goods."

I am glad, however, to be able to employ this opportunity to point out that this was not the only instance in which the Jews aided in building up trade-relations between Prussia and the New World during our Revolutionary War period. Frederick early recognized Prussia's interest in making the most of a time of warfare by building up her trade as a great neutral power. The Jews, as leading international traders during our colonial period, naturally suffered greatly in consequence of warfare, and influential Dutch traders sought the protection of a safer neutral flag for their West Indian trade. In his recent valuable booklet, "Portugiesen Gräber auf deutscher Erde," Dr. M. Grünwald, another Corresponding Member of this Society, says (p. 144):

"Als jedoch 1782 Isaac Aletrino, Inhaber der Firma Juda et Isaac Aletrino in Amsterdam um während der Kriegsunruhen der neutralen preussischen Flagge den Handel nach Westindien unbehelligt fortsetzen zu können (Juda ist selbst nach Westindien mitgereist), sich im Emden ansiedeln will und zu diesem Zweck bereits ein Haus daselbst gekauft hat, macht der König Schwirigkeiten, zunächst muss Aletrino vermögend sein, auch soll er seine Familie mit nach Emden ziehen. Hierauf wird

[1] Nachtrag. Weitere Beziehungen zwischen Preussen und Amerika unter jüdischer Vermittlung werden uns durch folgende Mitteilung bekannt.

erwidert die Familie besorgt den gesamten Westindischen Handel in Holland. Im übrigen seien beide Brüder ledig. Auf die Mitteilung hin, dass die Firma von der Rhederei Arens und Comp. in Emden die Schiffe 'Berlin' und 'Emden' gekauft und für 20,000 Gulden befrachtet haben, will der König wiederum die Gewissheit haben, dass Aletrino nicht nur während des Krieges in Emden bleiben wird. . . . Der Magistrat legt sich für Aletrino ins Mittel 'denn weil uns dergleichen Leute zur Fortsetzung des Westindischen Handel nützlich, ja fast unentbehrlich sind.' Am 23 Dez. willigt endlich der König ein. Doch ist Aletrino nicht in den Judentabellen zu führen, er soll sich nur mit 'der Verrichtung eines Cargadors (Befrachter) beschäftigen, sonst keinen jüdischen Verkehr treiben.' Am 13 Juni gestattet der Magistrat Aletrino endgiltig Hausbesitz und Niederlassung."

MAX J. KOHLER.

AN EARLY JEWISH COLONY IN WESTERN GUIANA, 1658-1666:

AND ITS RELATION TO THE JEWS IN SURINAM, CAYENNE AND TOBAGO.

By Samuel Oppenheim, *of New York.*

The Jewish colony, of which this paper treats, settled in 1658 on the Pomeroon river, in the region of the Essequibo, in what is now British Guiana, then in the possession of the Dutch. It flourished until 1666 when it was dispersed. No reference to it appears in any account of the Jews in America. Even the celebrated *Essai historique,*[1] which is our principal source of information in regard to the Jews of Guiana, but is not full or exact in regard to their early history there, makes no mention of it.

A Dutch work published in 1888, treating of the history of Western Guiana,[2] gives some facts about this colony, as also an English publication of the same year, based partly on this Dutch work and partly on other sources.[3] Some interesting details in regard to it are also to be found in the volumes relating to the boundary dispute between Venezuela and Great

[1] *Essai historique sur la colonie de Surinam. . . . avec l'histoire de la nation Juive Portugaise et Allemande y etablie,* etc., Paramaribo, 1788; in Dutch, *Geschiedenis der kolonie van Suriname,* etc., Amsterdam, 1791; prepared by a society of learned Jews of Surinam. A copy of this rare work is to be found in the New York State Library, at Albany.

[2] Peter Marinus Netscher, *Geschiedenis van de Koloniën Essequebo, Demerary en Berbice,* 's Gravenhage, 1888.

[3] James Rodway and Thomas Watt, *Chronological History of the Discovery and Settlement of Guiana,* Georgetown, Demerara, 1888, usually referred to under its cover-title, *Annals of Guiana,* by which it will be designated herein.

Britain. But the most reliable data on the subject are to be found in the Dutch archives in Holland, extracts from which are printed in the Appendix hereto.[3a]

The history of this colony is important to us in connection with the history of the Jews in Brazil, Cayenne and Surinam, with which it was closely connected, and probably also with that of the Jews in what has since become part of the United States. Before giving an account of it, a brief sketch of surrounding conditions up to the beginning of its establishment and for a few years afterwards will first be given. Closely related to our colony and existing during the same period, as shown by the extracts from the Dutch archives, was a sister colony at Tobago, in the immediate neighborhood, north of

[3a] Thanks are due to Jongheer Dr. Th. H. F. van Riemsdijk, the archivist in chief at the Rijksarchief at The Hague, for his courtesy in examining the original records and furnishing extracts, and to Mr. W. O. Swaving, the archivist of the Oud-archief at Middelburg, for like courtesy, and also to Mr. P. V. Dommisse, the archivist of the municipality of Flushing, for examining his records, though with negative results. Many of the Flushing records, which contained much data about our colony, were destroyed by the British in the bombardment of 1809.

Some data from Vere appearing in printed publications are incorporated here. A special further search there, through Mr. J. W. Perrels, the archivist, yielded no results. From Leghorn, whence a number of Jews went to the Wild Coast, as indubitably appears by the Dutch extracts, word has been received from Prof. Pietro Vigo, the Director of the Archivio Storico Cittadino, of Leghorn, to whom thanks are due for his painstaking labors, that a most careful search of the archives of that city and of the neighboring cities, Pisa and Florence, and of the communal records of the proper Hebrew organizations of the two first named cities, fails to reveal any mention of the emigration. Some of the records, however, are stated to be missing. It is, of course, possible that the Leghorn Jews went by way of Flushing, and this may account for the lack of data showing an emigration from Leghorn to America. The kindly assistance of our Consul at Leghorn, Mr. James A. Smith, should also be remembered. For courtesies extended by Mr. Wilberforce Eames and Mr. V. H. Paltsits, of the Lenox Library, thanks are also due.

Trinidad, to which some of our colonists went, and to which reference will also be made.

Prior to 1623, Jews had settled in Brazil while that country was under Portuguese control, but until the Dutch captured a portion of it in that year they had not been permitted openly to practice their religion there. This permission, together with certain civil rights, having been accorded them by the conquerors, many Jews were attracted thither from Holland, Portugal, Italy, and other parts of Brazil. They became engaged in the cultivation of the soil and carried on also business as merchants and traders. In 1642 a large contingent under Rabbi Isaac Aboab and Rabbi Moses Raphael de Aguilar arrived from Holland. In the various internal wars and revolutions and in the events leading to the final reconquest by Portugal in 1654, the Jews suffered hardships in common with their fellow men of other faiths, and with them helped to resist the enemy. Though some Jews remained in Brazil after 1654, many are said to have left before that date, and on the capitulation of Recife, its Dutch capital, many returned to Holland, including Aboab and de Aguilar.[4] Many of the Dutch also returned to Holland at the same time.

During their occupation of Brazil the Dutch also had a settlement in Surinam, which is not far from the colony treated of herein. We have evidence from a Jewish record, dated at Surinam in 1643, that Jews resided there in that year and possibly earlier, but the length of their stay cannot be determined.[5]

[4] *Jewish Encyclopedia*, title *Brazil*, III, pp. 360-361, and authorities cited.

[5] *Pubs., Am. Jewish Hist. Soc.*, No. 13, pp. 127-128, *The Jews in Surinam*, by Rev. J. J. Roos, Rabbi of the Jewish Congregation at Paramaribo. In support, he gives a copy of a marriage contract in Hebrew, dated at Surinam in 1643, which he found among the archives of the old Portuguese congregation there and which he is of opinion shows that the Jews were probably in Surinam before that date.

The statement has appeared in various publications that after the departure of Count Maurice of Nassau from Brazil in 1644 a band of Jews, led by David Nassy, with a large number of slaves, left that country in that year and settled in Surinam on what is known as the Jews' Savannah, some distance up the river from where Paramaribo now is, but this has been denied, and no authority therefor can be found.[6]

Jews are mentioned as at the Savannah in 1650 when Surinam was taken from the Dutch by the English. The change in the government, it is said, did not affect them, but that they experienced some difficulties about 1652 consequent upon the

[6] This statement appeared in Koenen's *Geschiedenis der Joden in Nederland*, in Van Sijpesteijn's *Beschryving van Suriname*, in Teenstra's *De Landbouw in de Kolonie Suriname*, in Netscher's *Les Hollandais au Brésil*, in *Annals of Guiana, supra*, and in other works. The *Essai historique* was cited as the ultimate authority, but it fails to support the statement. Netscher, in his later work, *Geschiedenis van de Koloniën Essequebo*, etc., *supra*, says (p. 356) that the statement in his earlier work on Brazil with regard to such a settlement by Nassy in 1644 rests upon an error (berust op eene vergissing). The *Essai* (pp. 11-12) refers to the departure of Count Maurice of Nassau in 1644, and adds that then (which here means some time afterwards) the Jews under Aboab, the Nassys, and others, left Brazil with the 2000 troops who had been under the command of the Count, and that it was at this time (evidently meaning at the time of or after Aboab's departure, which we know was in 1654) that Nassy and his companions, accustomed to the climate of Brazil and agricultural work, decided to establish themselves in America, as the mania or furore for forming colonies in the New World was then general. It then gives an account of Nassy's colony at Cayenne, under the charter to him, dated September 12, 1659, the development of that colony and its final expulsion by the French in 1664, and his then going with his followers presumably to Surinam, but it nowhere refers to any settlement by him in Surinam in 1644. The error probably arose through a misapprehension in regard to the facts stated in that part of the *Essai* and through a confusion of the date of 1664 with that of 1644.

enforcement of the Navigation Act of 1651 and the war then raging between Great Britain and the Netherlands. Those who were there had been accustomed to ship their produce in Dutch vessels, and when these occasionally arrived at the Surinam river, the British commander, Rawson, in carrying out the provisions of the Act, caused considerable dissatisfaction.[7] There were probably not many Jews there then.[8]

We also hear of some Jews in Cayenne, not far from Surinam, about this time. A Jewish colony is said to have settled there in 1650,[9] though the authority for this statement does not appear. It is possible that some Jews from Surinam then went there when the French for a short time had been driven

[7] *Annals of Guiana, supra,* Vol. I, pp. 124, 131.

[8] It is said that Jews came from England with Lord Willoughby to Surinam in 1652. In a late Dutch annual (*Surinaamsche Almanak,* Paramaribo, 1899,) we read under date of April 12, 1652, that Lord Willoughby, of Parham, came to Surinam with eight well-manned ships and a considerable number of Jewish colonists from England and the islands in the Caribbean Sea, and took possession of the place which he had visited in 1650, and kept it for fifteen years, when it was recovered from him by the Zeelanders under Crynssen. This statement, in so far as the Jews are concerned, is given here as possibly having some basis, being a local account. The *Essai historique,* I, p. 12, also makes reference to Willoughby's arrival in 1652, with Jews, but cites no authority. Jews are said to have come from Europe to Surinam in 1662, when Willoughby received with Laurence Hyde a grant of that country from Charles II. No confirmation has been found of the statement in regard to Jewish arrivals with Willoughby, though it seems probable from what appears herein that a few English Jews went to Surinam before 1665. The charter to Willoughby and Hyde recites that Lord Willoughby sent several ship loads of colonists to Surinam in 1650 and subsequently, but does not speak of any Jews among them or whence they came. See copy in Jan Jacob Hartsinck's *Beschryving van Guiana of de Wilde Kust van Zuid America,* Amsterdam, 1770, Part 2, pp. 522-523.

[9] *Jewish Encyclopedia,* Vol. I, p. 494.

out of Cayenne by the Indians or had abandoned the place, or when the English arrived in Surinam. The French were then not friendly to the Jews in the colonies. du Tertre[10] speaks of the establishment of a French colony in Cayenne under Bretigny in 1643 and its dispersal by the Indians because of the cruel treatment of the savage tribes, and also of another French colony sought to be established there in 1653 and its abandonment, and adds:

A short time after the island of Cayenne was abandoned by the French, some Dutch and Jews, who had been driven out of Brazil by the Portuguese, arrived in Cayenne, and having found the gardens there all prepared, and a good fort, provided with cannon, they had no difficulty in establishing themselves there, and requested a charter from the Dutch West India Company. This was accorded to some of them, and in particular to Guerin Spranger, under whom the island soon obtained a very high reputation.

The date of the charter to Spranger was 1656.[11]

du Tertre's statement, with the addition that the Dutch introduced there the cultivation of the sugar cane and indigo, is quoted by a later writer,[12] who supplements it as follows:

This reputation attracted the attention of a great number of Jews who had just been driven out of Brazil, where they had been established during the dominion of the Dutch in that country, and one of them named David Nassy, high in favor with the Company formed at Amsterdam, obtained the title of Patroon-Master, and in 1659 went with a large number of his compatriots to Cayenne. In the following year these were joined by 152 persons of the same religion who had quitted Leghorn, and these likewise devoted themselves to the cultivation of the earth. The prosperity which this colony enjoyed during its short existence

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[10] Jean Baptiste du Tertre, *Histoire generale des Ant-Isles, habitées par les françois* (Paris, 1671), Vol. III, p. 12.

[11] Netscher, *Geschiedenis, supra*, p. 356.

[12] H. Ternaux-Compans, *Notice Historique sur la Guayana Française*, Paris, 1843, p. 66.

is proof that the Jews are not so unfitted, as has been believed, for agricultural enterprises.[13]

The relation of the Cayenne colony to the one now about to be treated of will be shown further on. The fact in regard to the presence of Jews there between 1656, when the charter to Spranger was made, and 1659, when Nassy received his charter, has not heretofore appeared.

In 1655 the Dutch, recognizing the hopelessness of attempting to recover Brazil, decided to throw open again the whole of Guiana to colonization. They had established many years before a post on the Essequibo river, at Fort Kykoveral, but had not been actively engaged in development work, their energies being devoted to the protection of their interests in Brazil. It is claimed that a large Jewish colony was formed on the Pomeroon and adjoining river Moruca in 1651. Reference to this claim will be made further on.

In 1656, the Zeeland Chamber of the Dutch West India Company, which had charge of the administration of this part of the Dutch colonies, as the Amsterdam Chamber had of the New Netherlands and Curaçao, drew up a prospectus inviting colonists, under tempting conditions, to go to the "Vaste Wilde Kust," or the Continental Wild Coast, of Guiana, or, as it was called in short, the "Wilde Cust," or the "Vaste Cust," which they described as lying between the Orinoco and the Amazon and the equator and ten degrees north. Some difficulty was encountered in inducing colonists to emigrate, and in 1657 the prospectus was followed up by a new body of liberties and exemptions for patroons and colonists.

[13] See also *Annals of Guiana, supra*, Vol. I, p. 132. The ship in which these 152 Jews sailed was the *Monte del Cisne*, which left Leghorn for Cayenne in July, 1660, according to the account of Daniel Levi de Barrios. See *Essai historique, supra*, Vol. I, p. 13. *Pubs., Am. Jewish Hist. Soc.*, No. 3, p. 18, gives the month as August, 1660.

On March 22 of that year the first free colonists, to the number of twelve persons, some with and some without family, wife and children, and slaves, arrived at the newly organized colony in Essequibo, but of these, none, so far as can be judged from the names, were Jews.[14]

The colonization was then taken charge of by the three Walcheren cities, Middelburg, Flushing and Vere, acting through a Committee, composed of official representatives from each, in conjunction with a Committee of the Zeeland Chamber of the West India Company, and during the next year and in the few years following, further locations were established in the Essequibo and on the neighboring river Pomeroon, to which Jewish colonists came. An account of these will now be given.

At various meetings of the Colonization Committee, held between November, 1657, and March, 1658, plans for the establishment of the new colony on a firm basis were considered. The general name Nova Zeelandia was then given to the region around the Essequibo, the Dutch form of which is Essequebo, and the spelling of which was then Isekepe or Ysekepe, and is also sometimes found as Disekeebe and d'Esekebe.

It was decided to send out two ships, fully equipped, one to bring the colonists to Essequibo, and the other to purchase slaves in Africa to be brought to the new colony, and it was also resolved not to restrict the colonists to trading with the Indians for logwood, but also to grow sugar, for which negroes

[14] *Report of U. S. Commission* on Venezuela-British Guiana Boundary, Vol. I, p. 194; Vol. II, pp. 113-126; printed also as *Senate Document* No. 91, 55th Congress, 2d Session (1898). Cited herein as *Report, U. S. Com.* Vol. II of the *Report* is made up almost wholly of extracts from the Dutch archives, with a few from other sources, but contains none of those given in the Appendix hereto. The latter have not heretofore appeared in print.

would be necessary.[15] To provide for these, says the Dutch historian,[16] an offer was made by David Nassy, "an enterprising Jewish merchant, who, after the loss of Brazil, had left that country with hundreds of his coreligionists in order to seek freedom of religion under the Netherland flag," in pursuance of which an agreement was made with him on January 25, 1658, regarding the delivery of several hundred slaves in Nova Zeelandia, under certain conditions the substance of which will be referred to later.

The new colonists went thither in February, 1658. "Many were the applications," adds our authority, "made by Paulo Jacomo Pinto, Philipp de Fuentes and others, of the Hebrew or Jewish nation, who had fled from Brazil, to be permitted to go to Essequibo, and in 1658 and 1659, under like arrangements, four or five ships, with many Jews, went thither, and also several ships with slaves."[17]

These statements are confirmed in the Extracts from the Dutch archives given in the Appendix. Pinto, however, does not seem to have gone to Nova Zeelandia, but to have acted in Holland as the representative of the Jews in making the necessary arrangements to enable them to emigrate and also as bondsman for them when required. The Pintos are noted as millionaire financiers of Holland. They had also been prominent in Brazil. The first name of Paulo Jacomo Pinto does not appear in biographical sketches of the family and was probably an alias for that of Abraham or David Pinto noted as active about this time in the Jewish community of Rotterdam and Amsterdam.[18] de Fuentes, as will be seen later, actually went to the new colony, and was prominent there. According to the extracts from the archives he went in his

[15] Netscher, *Geschiedenis, supra*, p. 72; *Report, U. S. Com., supra*, Vol. II, pp. 125-129.

[16] Netscher, *supra*, p. 72.

[17] *Ibid.*, p. 73.

[18] *Jewish Encyclopedia*, Vol. XI, p. 53.

own ship with colonists, but at a later date, and his letters to the Company after his arrival are printed herein. He is referred to several times in the Extracts. A further name given in the Extracts but not by Netscher is that of Francisco Medina, who appears as an applicant for passports for his friends of the Jewish nation. The Medina family is also noted as a very wealthy one.[19]

The ship sailing in February, 1658, was called the *Joannes,* and left Flushing on the second of that month for Nova Zeelandia.[20] The first Jewish colonists were undoubtedly on this vessel.[21] Though de Fuentes is spoken of by one writer as having gone on that ship,[22] the archives do not bear out that statement. As already mentioned, he is noted as having gone to the colony later, in 1660. The Extracts also show that in April, 1658, another ship called *d'Eendracht* was about to sail for Essequibo with many Jews.[23] About September 5, 1658, a ship called *Prins Willem* is noted as about to sail from Flushing for the Wild Coast, with colonists, and to bring some home from the islands, probably meaning Tobago among these.[24] That that ship also carried Jewish passengers may be gathered from the Extracts in the Appendix under date of September 18, 1658. These show that information was then requested by some Jews of the conditions under which they could go to the new colony and that they expressed themselves as satisfied therewith, and a ship is spoken of as being ready to sail thither. This was no doubt the *Prins Willem.* On the same day there is a reference to a ship from Salee to carry

[19] *Ibid.*, Vol. VIII, p. 424.

[20] *Report, U. S. Com., supra,* Vol. II, p. 128.

[21] See Extracts, in *Appendix* I, under date of January, 1658.

[22] *Annals of Guiana, supra,* Vol. I, p. 137. It is there erroneously stated that Pinto was on board. The Extracts show him then and later to have been in Holland.

[23] See *Appendix* I.

[24] *Report, supra,* Vol. II, p. 130.

Jews to the new colony. Salee is in Morocco and had a large Jewish population. It is celebrated shortly after this time in connection with Sabbathi Zevi, the pseudo Messiah of the Jews.[25] In March and April, 1659, the Jews are again noted as asking for ships to carry some of their nation to the new colony.[26] de Fuentes sailed in 1660, his ship apparently being the *Argyn.*

The opening up of the Essequibo is summed up by the historian of British Guiana,[27] who says that every inducement was offered to intending settlers; that pamphlets were published, some of them being translated into German, giving exaggerated accounts of the wonderful fortunes to be made by the growing of sugar in Nova Zeelandia, and promising slaves on credit, and also depicting the advantages of Guiana over the New Netherlands; that many of the new settlers were Jews who had been in Brazil, and that under their tuition a number of small plantations were cleared and planted with canes, and that sugar from the colony soon appeared in Middelburg, in Zeeland.[28]

[25] See *Jewish Encyclopedia*, Vol. IX, p. 22.

[26] See *Appendix* I.

[27] James Rodway, *History of British Guiana*, London, 1891, Vol. I, p. 5.

[28] Mr. N. Darnell Davis, in *Timehri*, an agricultural magazine of Demerara, Vol. 7, p. 138 (1893), in an article entitled "The Beginnings of British Guiana," reviewing Rodway's *History of British Guiana*, said: "It would appear that it was to the Jews that Essequibo owed the introduction of cane cultivation. After the Zeeland Company had leased Guiana from the West India Company they took steps to induce private persons to come and settle in Essequibo on their own account. Many of the newcomers were Jews who had been in Brazil. It was owing to these that small plantations were cleared and planted with canes."

Regarding the reference to German pamphlets, it is quite probable that some Jews from Hamburg, where a large Portuguese Jewish congregation existed, accompanied the Jews from Flush-

Complementary to the story of the beginning of this colonization and as a part of it, we find a contemporary English reference in a letter written by Charles Longland, the English agent at Leghorn, Italy, to John Thurloe, the Secretary of State under Cromwell, under date of March 8, 1657 (N. S.).[29] 1658 is the year in which the letter was written, as shown by the context and its place among other letters arranged in

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ing. Dr. M. Grunwald, in his *Portuguesengräber auf deutscher Erde*, Hamburg, 1902, pp. 124-125, gives extracts from the *Hamburger Gemeindebuch* of the old Portuguese synagogue of Hamburg, under date of Nisan 25 (circa April 10), 1658, which makes a reference to a proposed emigration of Jews from Hamburg to a place called "Serepique," described as newly discovered by the Dutch, and gives the following names of some of the would-be colonists: Imanuel de Campos, Daniel f. de Abraham de Campos, David o'Liveria, David Nunes, and Jacob Senior. His suggestion that Sergipe in Brazil was meant is negatived by the fact that the Dutch in 1658 were no longer in Brazil, and, besides, that Sergipe, or Seregipe as it was then also spelled, had been settled by the Dutch in 1637 and had shortly afterwards been abandoned. See Neuhoff's *Brazil*, in Pinkerton's *Collection of Voyages*, Vol. 14, pp. 704-706. It could not, therefore, have been newly discovered by the Dutch in 1658. Probably the reference should have been to a newly-opened Dutch settlement. The name Isekepe or Essequibo was spelled in a variety of ways, and could easily have been converted through misspelling into Serepique. It is often met with as Esequipe, Isequipe, Isequibe, Esquivo, and even distorted as Essequake and Sequiebes. But a close approximation to Serepique, in pronunciation, is to be found in the spelling of Essequibo as "Essebecke," met with in Lewes Roberts' *The Merchants' Map of Commerce*, London, 1671, containing a map of America, made in 1668, facing page 49. A similar spelling, "Esebecke," is found in Louis Hennepin's map of America, dated 1698, to be seen in his *Nieuwe Ontdekking van America*, Amsterdam, 1702. The spelling "Essebeke" is also found, as early as 1626, in Speed's map. See *Report, U. S. Com., supra* (atlas), IV, p. 22.

The writer is indebted to Mr. Max J. Kohler for this reference to Dr. Grunwald's work.

[29] *State Papers of John Thurloe*, London, 1742, Vol. VI, p. 825.

chronological order, and the parenthetical note of "N. S.," for new style, inserted by the editor.

The part of the letter relating to the Jews reads as follows:

"It seems the States of Holland are making a plantation betwixt Surinam and Cartagena in the West Indyes, wherin they go very wysly and pollitickly to work aiming chiefly at a trade there with the Spanyard; for which purpose they hav sent hether to invyt many families of Jews and granted them many priviledges and immunitys, which they hav printed and sent hether. I intend your Honour a coppy thereof enclosed if I can get it translated in tym. Spainish is become now the Jews mother-tongue not only in thes parts but throhout al the Turks dominions; in which respect they wil be very usful to the Duch in theyr plantation; and many opportunityes may present for them to converse with the Spanyard by reason of their civility. If our planters at Surinam took the sam course it would be much to their advantage. About 25 famillyes of Jews go hence for the Holland plantation; som of them told me they nothing dout but to introduce a trade very speedily with the Spanyard there who ar in most extream want of all European commoditys." [30]

In other letters written by Longland about this time reference is made to the Dutch being in Leghorn and to their controlling the commerce in the Levant, and also to some Spanish Jews being in Leghorn, who had been in the West Indies and to some as being ready to be sent to Buenos Ayres and acquainted with the country around Potosi.[31]

[30] See, for a reference to this letter, Adam Anderson, *Historical and Chronological Deduction of the Origin of Commerce*, London, 1790, Vol. II, p. 585, and David Macpherson's *Annals of Commerce*, London, 1805, Vol. II, p. 472, suggesting Curaçao as the possible location. The language of the Longland letter, however, does not indicate that island. Curaçao then had a Jewish colony under a grant to David Nassy, dated in 1652, for which see *Pubs., Am. Jewish Hist. Soc.*, No. 10, p. 148. Jews had been already there in 1650, and in 1656 are mentioned as active on that island. See Rev. Joseph Corcos, *A Synopsis of the History of the Jews of Curaçao*, Curaçao, 1891, pp. 7-10.

[31] *Thurloe State Papers, supra*, Vol. I, p. 376; Vol. VI, pp. 285, 846.

References to Jews from Leghorn in connection with the Essequibo colony appear in the Extracts in the Appendix. One of these, under date of May 21, 1660, indicates a settlement or location of some Jews at Tobago, north of Trinidad which was then in possession of the Spanish. This may explain the reference in the Longland letter to a trade with the Spanish. The Jews of Leghorn are also mentioned in the Extracts as destined for Essequibo or Nova Zeelandia.

A copy of the grant of privileges and immunities, referred to in the letter quoted from as to be enclosed, does not appear among the papers in the printed volume, and inquiry of the Bodleian Library, where the original letters of Longland to Thurloe are to be found, fails to discover it. It is believed, however, that its provisions can be identified in a grant whose origin has not heretofore been positively established, but which the present writer thinks he shows herein is a Dutch grant for the Jews going to the Nova Zeelandia colony, and possibly also for those in the colony at Tobago with which it had relations.

This grant, heretofore unidentified, is important to us as bearing upon the question of the connection of the American elements in the resettlement of the Jews in England, which has been raised by an English writer who will now be referred to. It contains important clauses relating to the granting of civil rights to the Jews, and being shown herein to be a Dutch grant disposes of the claim that to the English belongs the honor of first practicing Jewish emancipation in America.

We find in this grant of privileges, claimed to be dated about 1654, and running "To the People of the Hebrew nation that are to goe to the Wilde Cust,"—apparently, from that designation and other data, in or near Guiana,—a provision, among others, for sugar plantations. This is confirmatory of what is mentioned by Netscher and Rodway in refer-

ence to the sugar industry to be established at Nova Zeelandia. Other clauses provide for the free and untaxed mining for gold and silver and the precious stones; for hunting and fishing in certain woods, mountains, and waters; for the transportation of slaves from the coast of Guiny;[32] for allotments of land to the colonists, with all rights of ownership; for admission to rights of citizenship, and particularly for the election of representatives to advise in meetings concerning the welfare and commerce of the colony, and for various privileges and exemptions independently of those specially applicable to Jews. The Jews are granted the right to exercise their religion freely and to act judicially in disputes among themselves.

This grant appears in the Egerton MSS., in the British Museum, in a volume numbered 2,395, at f. 46, and was discovered by Mr. Lucien Wolf, of London, who gave a copy of it, with his views as to its origin.[33] That copy, with Mr. Wolf's views, was reprinted in an article by Mr. Max J. Kohler.[34] It is unsigned, undated, and of most curious orthography. Mr. Wolf thought it might be a British grant for a settlement in Surinam of Jewish refugees from Brazil in 1654, and assigned that date to it because it was found between documents dated in 1648 and 1653 and its contents indicated a later date than 1653. He was of the opinion that it was probably a draft of proposed privileges prepared for Cromwell by Martinez Dormido, alias David Abarbanel, a brother-in-law of Menasseh ben Israel, and also urged reasons

[32] By which Guinea in Africa is meant and which conforms to the reference, already given, to the sending of a ship to Africa to procure slaves.

[33] *American Elements in the Resettlement*, by Lucien Wolf. *Transactions, Jewish Hist. Soc. of Eng.* (1899), III, pp. 82-84.

[34] *Some Early American Zionist Projects*, by Max J. Kohler, *Pubs., Am. Jewish Hist. Soc.*, No. 8, pp. 91-97. A copy of the grant is reprinted as Appendix II hereto.

to explain away several of its provisions which appeared to be inconsistent with the view of its being an English grant.[35]

Mr. Kohler very properly considered it more likely to be a Dutch grant because of the references in it to the enjoyment of rights commensurate with those enjoyed by the Jews in Zeeland and Amsterdam.

Other references to indicate a Dutch origin are the mention in it of "States ships," to carry the colonists, and the use of the words "Provinces," "Cust," and "guilders." "States" no doubt referred to the States of the Netherlands. The States or Estates of Zeeland, represented by the three Walcheren cities, were interested in the colonization of 1658, and probably also the States of Holland which then or before also had relations to the colonization of the Guiana coast. "Provinces" referred to the provinces of the Netherlands. The grant speaks of Amsterdam and the Province of Zeeland, and of freedom from law-suits "except for debts incurred in said Provinces or on the said Cust,"—indicating an emigration from abroad and particularly from the Provinces of the Netherlands. "Cust" was then peculiarly the Dutch spelling for Coast, the present form being "Kust."[36] An English document would not have used that spelling. The reference also

[35] In the Introduction to his *Menasseh ben Israel's Mission to Oliver Cromwell*, London, 1901, p. xxxvii, Mr. Wolf expresses his opinion more positively on this point, and assumes that the grant was made by Cromwell in 1654 to colonize Surinam, but does not explain why it is that we have no reference to any actual Jewish colonization there about that time. Under such privileges the Jews would have flocked there in 1654. In *Pubs., Am. Jewish Hist. Soc.*, No. 10, p. 142, also, Mr. Wolf's view is assumed as correct.

[36] *Report, U. S. Com., supra*, Vol. II, pp. 112, 113, 126-130. The expression "Lords Commissioners" in paragraph 6, is also indicative of a translation of the Dutch form "Heeren Commissarissen," appearing in the Appendix, though there translated simply as "Committee."

to the payment for slaves in guilders indicates a Dutch grant. The third provision that the Hebrews shall be admitted as Burgesses in the same way as the People of the Province of Zeeland living in the Coast and that they shall enjoy with them the same privileges the latter enjoy is suggestive of a document emanating from Zeeland, though the first provision referring to the enjoyment by the Jews of the same religious freedom as is possessed by the Jews in Amsterdam may indicate privileges to Jews from that city and that these shall enjoy the civil rights possessed by Zeelanders on the coast, the latter being the principal Dutch inhabitants. Provisions analogous to those contained in this grant, except as to the mention of Jews, are contained in the grants to the colonists of 1657, already referred to.[37] There is nothing on the face of the grant to indicate an English origin or connection. Everything in it is suggestive of the Dutch.

The document reads more like a translation than an original composition, and in that view may be regarded as probably the one mentioned in the Thurloe letter which speaks of a translation to be made of the grant. The grammar and spelling are also such as might be used by a foreign translator possessing an imperfect knowledge of English and its orthography.

Its liberal provisions also indicate a Dutch origin. Other Dutch grants to intending colonists about this time also contain provisions offering freedom of conscience and liberty of religion in the manner customary in the States of the Netherlands, though not mentioning Jews.[38] Privileges like those mentioned in the grant under consideration were not being conferred by England on the Jews in the American colonies or elsewhere in 1654, although about ten years later, or in 1665, somewhat similar privileges, written in better English,

[37] *Ibid*, and *Counter Case for Great Britain*, Appendix, p. 27.
[38] *Ibid.*

but not of so liberal a character in regard to some details, were granted by the British authorities in Surinam to the Jews already there and to those who might thereafter go thither,[39] due no doubt to the standard of liberal treatment in the colonies set by the Dutch to the Jews, and to the fact that England recognized in 1665, as it had not in 1654, the Jews as part of its population and as desirable colonists. How the privileges of 1665 came to be granted will appear later.

The English grant of 1665 did not contain all the provisions of the grant discovered by Mr. Wolf. Of the later, the sixth and tenth clauses were in substance added to the English grant by the Dutch in 1669, two years after the surrender of Surinam in 1667. These additions were made on the petition of the leading Jews in the colony, many of whom had been under the protection of the Dutch in Guiana and had no doubt enjoyed the privileges asked for, and related to their right to cause the banishment of members of their race who had fallen into evil ways or were guilty of acts which might cause a scandal to the nation, and also to a special exemption from the consequences of the non-payment of debts due to losses through the inquisition or otherwise. In place of Brazil, as in the old grant, the inquisition was mentioned. The latter was then active at Cartagena, and confiscated the goods of Dutch traders on Spanish territory.[40]

[39] *Pubs., Am. Jewish Hist. Soc.*, No. 9, p. 144. A copy is reprinted here as Appendix III.

[40] See H. J. Koenen, *Geschiedenis der Joden in Nederland*, Utrecht, 1843, p. 468, which gives a copy of the four clauses of the supplement to the British grant. These are referred to in *Pubs.*, No. 3, p. 147, and *Pubs.*, No. 13, p. 136. A copy of the request of the Jews for its granting is to be found in Dutch in the *Essai historique*, Vol. II, pp. 131-134, and in translated form is printed as Appendix IV hereto. There are some variations in the verbiage of the supplemental clauses between the copy in the *Essai* and that in Koenen. As to the inquisition, see *Case for Great Britain*, in Venezuela-British Guiana Boundary Arbitration, Appendix 1, pp. 153, etc.

If the grant discovered by Mr. Wolf had been in existence as an English grant prior to 1665, it would no doubt have appeared officially, but no such record has been found. If it was merely a proposed grant prepared by Dormido for Cromwell, as suggested by Mr. Wolf, that fact does not explain how similar provisions were incorporated by the authorities in far off Surinam in the grant of 1665, after the Restoration, when Cromwell's favorites and grants were tabooed. No reference is made in the grant of 1665 to the existence of a previous grant or to the Jews having been governed in Surinam under a like previous grant, and the absence of such a reference in the grant, among the reasons given in it for its issue, indicates that no such prior grant existed in Surinam.

The more reasonable explanation of the similarity of the two grants is that the English copied from a Dutch grant then in existence, under which Jews were living in Guiana, and that many of the liberal provisions of the English grant were inserted, as stated in it, to "encourage" the Jews already there to "continue their residence" in Surinam, and "to invite others to come there," and that the grant discovered by Mr. Wolf was a Dutch grant. That the English grant was practically forced from the authorities by the Jews will be indicated further on.

Certainly the Dutch grant to Jews in Guiana was not copied from an English grant of the period. The Dutch had their own forms and it was not necessary for them to consult an English model. The Jews in Holland had many of the privileges appearing in the British grant, and, as shown herein, had been offered special immunities and exemptions to go to Guiana. The English during Cromwell's time, except in 1650 and 1652,[40a] and until after the grant of Charles II to Lord Willoughby of Surinam in 1662, were not making diligent

[40a] See Hartsinck's *Beschryving van Guiana, supra*, Part 2, pp. 522-523, and British *Calendar of State Papers, Colonial Series, Am. and W. I.*, 1574-1660; pp. 372-374.

efforts to colonize Guiana, and are not known to have solicited or encouraged Jewish colonists to go to that region. The Thurloe letter shows that the colony mentioned in it in 1658 was not to be at Surinam, but at some place west of it, as Surinam is spoken of as already having a colony which is not stated to be Jewish or as having Jews in it, and would no doubt have been so referred to in connection with the proposed Jewish emigration from Leghorn if the fact had been that Jews were noticeably then in Surinam; nor was it to be at Curaçao, as that place was well known and is not mentioned. Writers on Curaçao make no allusion to this colony, and we know that David Nassy already had a grant for a colony there in 1652.[41]

The grant discovered by Mr. Wolf gives, as an addendum, a provision for the delivery of slaves, on certain conditions, to the Wild Coast. For comparison this is copied here. It reads as follows:

"A Rulle In What Manner and Condition That the Negroes Shall Bee Delivered in the Wilde Cust.

1. That there shall be delivered in the said Cust soe many negroes as each shall have occasion for, The which shall be paide heere shewing the Receipt, in ready money at one hundred and fifty guilders for each man or whoman.

2. Children from eight to twelve years thei shall counte two for one piece, under the eight years three for one the breeding goeth with the mothers.

3. hee that shall advance the Paiment beefore the Receipt comes shall enjoy the discounte of Tenn £Cent.

4. To all them that shall Paye and buy for Ready mony if thei will thei shall have sutch number of negroes. Trusted to Pay within five years and after them shall Pay for each man, whoman or child as above the sume of two hundred and fifty and he that shall advanse the Paiment shall have discount of Tean Per Cent a yeare and them that shall buy for ready money shall bee ingaged for the Paiment of the others."

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[41] *The Jews in Curaçao, Pubs.*, No. 10, pp. 141-157; Joseph Corcos, *A Synopsis of the History of Curaçao, supra.*

This corresponds with the reference by Netscher to the conditions of the Nassy contract with regard to slaves. Netscher's statement, translated from the Dutch, is as follows:[42]

"On January 25, 1658, an agreement was concluded with him" (Nassy), "in pursuance of which he was to deliver in Nova Zeelandia several hundred slaves, under the conditions prescribed by the directors.[43]

"In pursuance of the resolution of the directors of November 26, 1657, as many slaves were to be brought to Nova Zeelandia as the colonists should desire and were willing to pay for. Payment was to be regulated as follows: For each man or woman 150 guilders; children from eight to twelve years two for one should be reckoned; younger children three for one; unweaned children should follow the mother. On prepayment, a rebate of ten per cent, and those who should pay in ready money could have a like number of them (slaves) upon receipt, on a credit of five years but at 250 guilders per head."

These terms are also given elsewhere in English,[44] with the

[42] Netscher, *supra*, p. 73.

[43] The statement that Nassy was to deliver the slaves is not borne out by the Extracts from the archives, which also do not mention the number of slaves. Netscher's language following that statement contradicts his interpretation of the agreement. He there speaks of the resolution of the directors of November 26, 1657, or two months before the Nassy agreement, as fixing the conditions for delivery. The Extracts also show that in February and March, 1659, the committee in charge of the colonization were asked to accommodate the Jews with slaves, indicating that they and not Nassy supplied them. A similar agreement regarding the delivery of slaves seems, according to the Extracts, to have been made with other Netherlanders, on the same day that the agreement with the Jews was made, January 25, 1658. Under date of February 27, 1659, the city of Middelburg is shown to have considered the question of agreeing to the delivery of slaves to the Jews by the Colonization Committee, and to have asked to be relieved from connection with the trade.

[44] *Annals of Guiana*, *supra*, Vol. I, p. 135.

addition, as stated in the Wolf grant, that if any portion of the debt should be paid before the five years the discount should be allowed on the payment.

But probably the best proof, in the absence of a copy of the Nassy grant, that the grant found by Mr. Wolf was the 1658 grant to Nassy is to be found by a comparison of the terms of its addendum with the text of the conditions synopsized by Netscher, which text is found in the work of another writer of whom Netscher speaks as expatiating in 1659 on these very terms, which seem to have been the standard terms for the colony. A reference to that other writer discloses the text of the terms, in Dutch, and an examination of that text shows *that the language of the addendum in the grant discovered by Mr. Wolf is a literal translation of the terms given in the Dutch work referred to.*[45]

A copy of these terms in the Dutch, taken from that work, is given below, with a prefatory sentence.[46]

[45] O. K. (Otthoe Keye) *Het waere ondersheyt tusschen Koude en Warme Landen*, &c. 's Gravenhage, 1659, p. 166. To be found in the library of the N. Y. Historical Society. Other editions, to be found in the Lenox Library, are Otto Keye, *Beschryvinge van het . . . . Landt Guajana, waer inne gelegen is . . . . de Landstreke genaemt Serrenamme*, &c., 's Gravenhage (1659), p. 166; and Otto Keyen, *Kurtzer Entwurff von Neu Nederland und Guajana . . . . aus dem Hollandischen ins Hochteutsche versetzt*, Leipzig, 1672, p. 134.

"This work," says G. M. Asher, in his *Bibliographical and Historical Essay on Dutch Books and Pamphlets relating to New Netherlands*, Amsterdam, &c., 1854-1867, p. 12, "possesses an interest connected with the New Netherlands, as it contributed its share to preventing the colonization of that colony, being written with that view, and with much ability."

[46] By het naeder Project dan over de Culture en populatie van de Wilde vaste Kuste door d'Heern Patroonen van de Colonije van Zeelandt Voornoemt ghemaekt op den 26. Novemb. 1657. Beloven die selve.

1. Dat op die selve kuste, onder die van haer Ed. Colonije, sullen worden Ghelevert, soo veele Negros als yeder van doen sal hebben,

We have, however, the exact terms of the contract with the Jews regarding the price and delivery of slaves. These are set out in the Extracts from the Dutch archives in the Appendix, under date of January 24, 1658, when they were spread upon the minutes, and are precisely the same as those quoted from the Dutch work just referred to. An agreement with Nassy seems by these same Extracts to have been executed on January 25, 1658, as stated by Netscher. Only a reference to it in connection with slaves appears in the proceedings of the Committee. Some grant prior in date to January 25, 1658, or at that time, is implied in the reference in those proceedings to the conditions under which the Jews were permitted to go to the new colony. These conditions, according to the Extracts, were regarded as satisfactory to the applicants and were probably the privileges offered to the Jews to induce them to go. The agreement relating to the slaves was no doubt the addendum thereto. The Zeeland Chamber Extracts, under date of June 24, 1660, also refer to conditions under which de Fuentes was to go to the colony, with a ship load of colonists.

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ende die alhier op't vertoonen van Recepisse, door yemant daer toe gecommitteert, alsdan in contant voldaen worden ter somma van een hondert vijftigh guldens voor een Man ofte Vrouwe.

II. Twee Kinderen van acht tot twaelf Jaren voor een Man ofte Vrouwe te rekenen: beneden d'acht Iaeren drie voor een, mids sullen de Suygelingen de Moeders volgen.

III. Die by anticipatie willen betaelen, sullen rabat ghenieten van thien ten hondert.

IV. Aen een yeder die contant ghekocht heeft, sal, des begeerende, gelijk getal gecrediteert worden; ende sal dit credit dueren voor den tijd van vijf Jaeren, ende sal binnen de selve moeten betaelt worden, yeder Man, Vrouw, ofte Kinderen, als boven: te reeckenen ter somma van twee-hondert-vijftich guldens.

V. Des eerder betaelende, sal voor rabat yeder Jaer ghenieten tien ten hondert.

VI. Maer die voor contant gelevert sullen sijn, beneffens de gecre diteerde sullen te saemen voor dese betaelinghe verbonden blijven.

Having identified as of Dutch origin one important section of the "Privileges to the People of the Hebrew Nation that are to goe to the Wilde Cust" in the grant discovered by Mr. Wolf, namely, the part relating to the terms under which slaves could be acquired, we may, for the reasons given, and with all due respect, dismiss Mr. Wolf's theory that the grant discovered by him was an English grant, or even a proposed English grant, or that it had to do with a settlement of Jews in the English colony of Surinam in 1654 immediately after the close of the war for Brazil, or within a few years thereafter, and we are justified in concluding it to be of a date in or before 1658, at about which time the Dutch were actively engaged in forming colonies to settle in Guiana, or on the Wild Coast, and as a Dutch form used in different localities to induce Jewish emigration. A copy furnished to Thurloe's correspondent would very likely have been unsigned. The letter speaks of printed copies, which would naturally give merely the form of the grant, without signatures.[47]

[47] That the grant discovered by Mr. Wolf was probably the translation sent by Longland to Thurloe may be gathered from an endorsement on it which seems to have been overlooked or not noted by Mr. Wolf in his examination of the Egerton MS. The Keeper of MSS. in the British Museum has informed the present writer, in answer to an inquiry whether there was not some identifying mark on the document to indicate that it came from Italy, that the MS. in question contains an endorsement of the words "Snr. Fernando." Now, Thurloe was accustomed to have letters of intelligence sent to him under a pseudonym. The *Calendar of Clarendon State Papers*, III, p. 121, mentions a letter from Thurloe to Longland, dated January, 1657, requesting the latter in writing to him to address his letters to "Mr. Peyen, attending on the Dutch Ambassador in England," or to "Jacob Hemsted, in the Strand, London." Other pseudonyms may have been used at other dates. All of Longland and Thurloe's letters have not been preserved. Changes of names as pseudonyms in communications to and from the same persons, in the Thurloe correspondence, are noted in the *Calendar of Clarendon Papers*. One pseudonym used by Thurloe with other correspondents was Ferdinando Carnevall.

Netscher also refers to Nassy as not taking so much interest in the new colony of 1658, but directing his energies a little later to obtaining a grant for a new colony at Cayenne.[45] This is a mere opinion. The administration of the colony was not in Nassy's hands, but in that of the Dutch Committee and the officers appointed by them.

It may be here remarked that the grant for the Cayenne colony was made by the Amsterdam Chamber of the Dutch

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Mr. Wolf, in his *Cromwell's Jewish Intelligencers*, originally appearing in the *Jewish Chronicle*, London, for February 18, 1891, and later in the *Jewish Literary Annual*, London, 1904, was of the opinion that certain letters found among the *Thurloe Papers*, addressed to Ferdinando Carnevall and noted in the *Calendar of Clarendon Papers* as a pseudonym of Thurloe, were really written as original communications by some one to Antonio Fernandez Carvajal, a prominent Jew of London during Cromwell's time, and that the information was transmitted by Carvajal to Cromwell. This is merely an opinion founded upon the similarity of the two names and the fact that Carvajal is said to have had relations with Cromwell, Thurloe's chief. There was about this time also in London a Don Antonio Ferdinando. See British *Cal. of State Papers, Domestic Series*, 1649-1650, p. 255; and Thomas Violet's *Petition against the Jews*, London, 1661, p. 4, cited in Wolf and Jacobs, *Bibliotheca Anglo-Judaica*, London, 1887, pp. 39, 45. The fact that we find, as shown above, that Thurloe directed letters for him to be sent under a false name, militates against the presumption that the letters addressed to Carnevall were originally intended for Carvajal, though, of course, it is possible that the latter acted as an intermediary to receive letters for Thurloe. The endorsement on the Egerton MS. of "Snr. Fernando" was probably made under the direction of Thurloe, to whom the letter enclosing it was no doubt sent under that pseudonym. Fernando is close enough to Ferdinando to indicate, in this case, a connection or identity with Don Antonio Ferdinando [Carnevall] and an enclosure for Thurloe, the name Carnevall, for some reason, being omitted in the endorsement of the document, though possibly being on the envelope or not always being used in correspondence.

[45] Netscher, *supra*, p. 74.

West India Company, which in 1658 and 1659 also claimed the right to send colonists to Guiana. This claim was disputed by the Zeeland Chamber and some friction ensued between the two on that account, which was adjusted on September 3, 1659, by permitting all the Chambers of the Company to send colonists to Guiana at places not preempted by the others.[49] Immediately afterwards, on September 12, 1659, we find that the grant to David Nassy for the Cayenne Colony was made by the Amsterdam Chamber.[50]

In the Thurloe letter, it will be noticed, reference is made to the colonists being sent out by the States of Holland in 1658, being another form of designating the Amsterdam Chamber of the West India Company. The Zeeland Chamber was the representative of the States or Estates of Zeeland. The form of grant used by one was readily obtainable and

[49] *Report, U. S. Com., supra*, Vol. II, pp. 130-131; Vol. I, p. 358. In the minutes of the Zeeland Chamber for September 23, 1658, printed in the *Report, supra*, Vol. II, p. 130, the statement appears that certain private individuals had addressed themselves to the Amsterdam Chamber for permission to erect a colony on the Wild Coast, without having asked the consent or authority of the Zeeland Chamber. Though these are not mentioned as Jews, the form of the statement, and surrounding considerations, indicate that they were members of that race.

[50] In Jost's *Geschichte der Israeliten*, Vol. VIII, p. 265, the Cayenne grant is referred to as made by the French West India Company. This error in designating the company was followed in *Pubs., Am. Jewish Hist. Soc.*, No. 3, pp. 104, 136, upon which the like statement was based in *Pubs.*, No. 8, p. 77. The grant itself gives the place of execution as at Amsterdam. In addition to the copies in Dutch, noted in the *Jewish Encyclopedia* article on Cayenne, Vol. III, p. 634, an earlier Dutch copy appears in Jan Jacob Hartsinck's *Beschryving van Guiana*, Amsterdam, 1770, part 2, p. 940. A copy in English, not heretofore noted, appears in the *Annals of Guiana, supra*, Vol. I, pp. 145 *et seq.*, and is set out as Appendix V hereto. The terms of the Cayenne grant are more elaborate than those of the one set out by Mr. Wolf, and contain many analogous provisions.

used, so far as necessary, by the other. That this was the case can be seen from the following reference to the Zeeland Chamber's Essequibo colony appearing in the Cayenne grant made by the Amsterdam Chamber:

"Sixteenth. The aforenamed colonists shall be allowed all the privileges of trading for slaves as may hereafter be decided by the Council of Nineteen. This accommodation to be the same as that allowed to the colony of Essequibo, under the Chamber of Zeeland."

We also find, according to the Extracts in the Appendix, that the Zeeland Chamber later made references to the conditions allowed by the Amsterdam Chamber.

The two sets of colonists in 1658, though possibly sent out under grants from different Chambers, probably went under the authority of grants to David Nassy, though the tenor of the grant discovered by Mr. Wolf would seem to indicate a grant to the Hebrews as colonists not dwelling apart from the rest of the community, but with special privileges because they were Hebrews, and it does not seem to have been to a patroon as head of a colony as in the case of the Cayenne grant under the authority of the Board of Nineteen at Amsterdam, under which the Jews were to establish themselves at a location apart from the Christians.

The use of the phrase "States ships," in the grant discovered by Mr. Wolf, where it speaks of the means of transportation to the Wilde Cust, is possibly an indication of a grant by the Board of Nineteen, the Supreme Council of the West India Company, which is said to have been engaged, in conjunction with the States-General, in promoting colonization in Guiana at about the same time that the Zeeland Chamber took hold of the matter. A body of liberties for founders is mentioned as having been made by this Board under date of August 30, 1655, in which colonists were forbidden to approach the colonists of the Zeeland Chamber nearer than fifteen Dutch miles along the coast or in the interior. The

minutes of the Board covering the period of colonization in question and for some years before are missing, as are also those of the Zeeland Chamber prior to 1657, when the three Walcheren cities took control, and hence much data on the subject of our colony is not available.[51]

In view of the suggested connection of the Board of Nineteen with the colonization it is possible that the grant discovered by Mr. Wolf was issued by the Amsterdam Chamber. This idea has already been indicated in referring to the first and third provisions of the grant. The form of the grant for the Jews was probably not changed from its first draft. The provision about slaves we know was in use as early as November, 1657, and was probably adopted by both Chambers some time before. According to the 17th clause of the Cayenne grant, the Board of Nineteen made the order and regulations for the supply of slaves.

Of the small colony at Essequibo, already mentioned, sent out in 1657, we have only a meagre account. It is said to have proved unsuccessful, but the principal place, Fort Kykoveral, was not abandoned. The statement is made in the argument on behalf of Venezuela, in the boundary dispute with Great Britain, that then the Dutch, disregarding Spanish rights, planned to make a settlement on the Pomeroon river, which is not far from the mouth of the Essequibo, and which is described as part of the Essequibo district.

On this Pomeroon river, it is added, "a few Portuguese Jew planters, driven from Brazil for their religion, were induced to settle."[52] This evidently refers to the colonists who went out from Flushing on February 2, 1658.

There are no data to show whether all the colonists leaving Flushing in February, 1658, for Nova Zeelandia, settled on the Essequibo river, or whether some started the colony further

[51] See *Report, U. S. Com.*, I, pp. 124, 194.

[52] *Case for Venezuela*, in Venezuela-British Guiana Boundary Arbitration, Vol. I, p. 77. Citing Netscher, *supra*, pp. 74-75.

north on the Pomeroon. That Dutch colonists settled at both places is shown by references to later events. No data appear as to the actual settlement of the colonists on their arrival. A report as to the Pomeroon colony, dated in June, 1658, was first received by the Colonization Committee in August of that year.[53] The name Isekepe or Ysekepe (Essequibo) is used in the records as a general name and as including the various locations on the Guiana Coast in the neighborhood of the Essequibo river.

The Extracts in the Appendix, under date of February and March, 1659, indicate that some of the Leghorn Jews went to Essequibo, as they speak of a report to the Board of Aldermen and Council of Middelburg in regard to their proposed departure for that place, and Pinto is seen later asking for passports for them from the Zeeland Committee. This implies that possibly the Leghorn Jews went under the auspices of another Chamber and that it was necessary for them to obtain from the Zeeland Chamber or the Colonization Committee passports to go to Essequibo if they first went to or were at Tobago, where they seem to have first stopped. The colonists of 1659 from Leghorn apparently had no relation to those from the same place leaving in the previous year.

There seems, according to the Extracts, to be some question whether all the Jews of Leghorn went to Essequibo or remained at Tobago. Some Jews of Antwerp are also noted as being interested in the colony, but whether in Antwerp or at Nova Zeelandia is not clear, though the latter is indicated. They are mentioned in the Extracts as willing to take away the slaves which were destined for the Jews of Leghorn for delivery at Essequibo, and which apparently the Leghorn Jews were not willing to accept, for some reason, not stated, but probably because they concluded not to go to Essequibo but to Cayenne where we know other Leghorn Jews went later.

[53] *Report, U. S. Com., supra,* Vol. II, p. 128.

The minutes do not show what became of the twenty-five families mentioned in the Longland letter as leaving Leghorn in the early part of 1658. It is quite possible that some of these on their arrival at Tobago departed or were compelled to leave the place, which was also occupied by Courlanders, as will be shown, and sought pastures new. There were then Jews in Curaçao, as already mentioned, and probably some few at Surinam, but more as a recognized body in Barbados and Jamaica.[53a] It is very probable that some of the twenty-five families went to Curaçao and that others drifted to other islands of the West Indies.[54]

It has been claimed that a Jewish colony was formed in the Essequibo in 1651. Major John Scott, who had command of the English forces from Barbados that captured the Dutch possessions in Pomeroon and Essequibo in the winter of 1665-6, writing about 1669 an account of the various colonies in Guiana and describing them chronologically by number, said:[55]

"The twelfth Collonie was of Dutch settled by the Zealanders in the Rivers Borowma [Pomeroon] Wacopow and Moroca, haveing been drawn of from Tobago, anno. 1650, and ye yeare following a great Collonie of Dutch and Jewes, draw of from Prazile, by the Portugaize settled there, and, being experienced planters, that soone grew a flourishing Collonie."[56]

[53a] *Pubs., Am. Jewish Hist. Soc.*, No. 9, p. 82.

[54] In a further paper submitted to the American Jewish Historical Society, the present writer shows, as he believes, that some of these colonists went to Newport, R. I., via Jamaica, in 1658, and were the first Jewish settlers there.

[55] *An Account of Guiana*, believed to be by Major John Scott: British Museum, Sloane MSS., No. 3662, fol. 37 *verso*, not dated, but believed to be about 1669. Printed in *Case for Great Britain*, in Venezuela-British Guiana Boundary Case, Appendix I, p. 170. Referred to and quoted in *Report, U. S. Com., supra*, Vol. II, p. 137.

[56] The word "drawn" in "drawn of from Tobago" is given as "drave," in the *Report of the U. S. Com.*, Vol. II, p. 137. Pomeroon was spelled in a variety of ways, among others Borowma, Bourome, Baumeronne, Paroma, Pauroone, Pontmaron, Poumaron, etc.

This colony is referred to in a recent article in an historical magazine,[57] in which an ingenious argument is made in support of Scott's statement, in so far as the date is concerned, on the basis that it is entitled to consideration as being a contemporary account, though written about twenty years after the date claimed, and that nearly all of the Jews who were planters had left Brazil long before the capitulation of Recife in 1654, and had settled in Surinam and the neighboring country; that the Dutch were in Tobago in 1650 and had been driven off from there about that time, and that in other details the quoted statement apparently accords with known historical facts.

Scott's accuracy, however, has been questioned by General Netscher, and also by Prof. George L. Burr and Prof. J. Franklin Jameson, both of whom, in the Venezuela boundary case, made a painstaking and thorough examination, on behalf of the United States, of the history of colonization in the Essequibo, Pomeroon, and other parts of Western Guiana, and found no mention or trace of colonies of 1650 and 1651 such as Scott describes. Netscher states that Scott was in error in many of the details of his account of Guiana. Prof. Burr says Scott's reputation for accuracy of statement is not unimpeached,[58] while Prof. Jameson says he has not the highest reputation, and he is also referred to in a letter from Lord Willoughby, who knew him well, as telling some truth but not all Gospel.[59]

Scott mentioned as authority for many of his statements a Captain Gromweagle, who he says was Commandeur in Essequibo for forty-eight years, and who has been identified by Netscher and Prof. Burr as Aert Adrienszoon Groenewegel, or

[57] *English Historical Review* (1901), Vol. XVI, p. 640, *The Dutch in Western Guiana*, by Rev. George Edmundson.

To Mr. Max J. Kohler thanks are due for calling attention to this article.

[58] *Report, supra*, I, p. 175.

[59] *Ibid.*, p. 64.

Groenewegen, and as Commandeur on the Essequibo from 1657 to 1664, though elsewhere [60] it is stated that he was Commandeur from 1650 to 1664 when he died.

Scott made no mention of the colonies of 1657, 1658, and 1659, referred to in this paper, the settlements of which correspond in their main respects with those detailed by him, of, first, a Dutch Colony of Zeelanders and then a great colony of Dutch and Jews who had been experienced planters in Brazil and who had been compelled to leave there by the Portuguese, and which colony became a flourishing one. No other writer that we know of makes reference to new settlements on the Pomeroon and surrounding country in 1650 and 1651, though it is known that some Dutch were in the Essequibo at that time and before. The first Dutch settlement on the Pomeroon is noted as in 1658.[61] That the colony became a flourishing one, and the most flourishing one the Dutch had had in America, appears herein. The writer of the magazine article does not produce any evidence to show any flourishing colony of Dutch and Jews in Pomeroon or its neighborhood in 1651 or within a few years afterwards, or any actual settlement of Dutch and Jews there about 1651. He contents himself by referring, in support of Scott's date, to the Jewish colony supposed to have gone with Nassy from Brazil to Surinam in 1644, speaking of it as settling there in 1644 and 1645, and to a like supposed departure of Jews from Brazil to Surinam after 1649 and some years before the final close of the war in 1654, but offers no proof on these points, citing only facts and authorities referring to earlier dates. That the Jews who went to Essequibo and Pomeroon in 1658 and subsequently, had been in Brazil, is apparent from their familiarity in the new colony with sugar growing, an industry practiced by them in Brazil.

His claim that the Dutch were driven from Tobago in 1650

[60] *Report, supra,* I, pp. 174-177; II, pp. 139-140.
[61] *Report, U. S. Com., supra,* I, p. 214.

is not supported by him by any satisfactory authority. No proof appears that these Dutch or Zeelanders so claimed to have been driven out went to the Pomeroon, though the writer of the magazine article referred to attempted to show this inferentially, but is not convincing or persuasive on that point.[62]

The reading of the word given in the quotation as "drawn" differs among those who have been considering it. The writer of the magazine article bases considerable of his argument upon the reading that the Dutch were "drove" off from Tobago about 1650, while in the case presented on behalf of Great Britain in the boundary dispute, the reading is that they were "drawn" off from Tobago. Some of the Dutch may have gone from Tobago with the first twelve families from Zeeland that went, as mentioned, to Guiana in 1657. These latter probably stopped at Tobago on their way to Essequibo, whence may have arisen the reference by Scott to Zeelanders drawn from Tobago. The facts appearing in the Extracts from the archives in the Appendix would support the theory that they were drawn from Tobago. We have an instance of a stoppage at Tobago, quite close to 1658 and 1659,

[62] J. Davis, *History of Barbados, St. Christophers*, &c., London, 1666, p. 6, which may have been Scott's authority for the statement about Tobago, for it speaks in 1666 of Zeelanders being driven out of Tobago "sixteen years since," is merely a translation from C. de Rochefort's *Histoire Naturelle et Morale des Isles Antilles de l'Amerique*, Rotterdam, 1658, p. 8, of an account which makes the "sixteen years since" refer to the time when the French work was published. This would put the date back to 1642, which Scott also refers to as that when a colony of Zeelanders were driven out of Tobago. Rochefort's silence with regard to a driving out of Zeelanders from Tobago in 1650, writing, as he did, quite close to that period, is significant, especially as he also refers to the next Tobago settlement after the 1642 driving out as taking place about 1655 or three years before he wrote. He says that after 1642 the island was for a long time without inhabitants.

by Jews in 1660 who left Leghorn in that year, under Dutch auspices, for Cayenne. The wife of one of them, Daniel Levi de Barrios, who wrote about his voyage, died at Tobago before the party came to Cayenne,[63] indicating that a Dutch settlement was there then and for some time before. That such a settlement then existed at Tobago and that there was some travel between there and Essequibo is indicated in the Extracts in the Appendix. We have also the deposition of one Clement Gunter, a Pomeroon colonist and a native of Hamburg, who had been arrested while on a trading expedition on the Orinoco, and imprisoned in Cartagena by the Spaniards in 1665, who testified at his trial in 1666 that Tobago was divided into two parts and in possession partly of the Dutch and partly of Courlanders.[64] Such an occupation is shown by the writer of the magazine article as being known of in 1654 and subsequently, and he also shows that when occasion presented one sought to oust the other. The Zeeland colonists could thus have been driven out from Tobago in 1658. Scott, who is corroborated by another writer,[65] refers to the Dutch being there in 1665 when he captured the place.[66]

It seems most remarkable, if Scott, as he himself says, derived some of his information about the various colonies in Guiana from the Commandeur of Essequibo, who acted in that capacity, at least between 1657 and 1664, that the well-known larger emigrations of 1658 and 1659 should not also have been mentioned by the latter who knew all about them and have been noted by Scott. Scott's omission to refer by date to the later Dutch and Jewish emigrations and the emigration of the Zeelanders of 1657, can very well be accounted for by construing the reference to the "yeare following," as being intended to read "the years following," which would allow for

[63] *Pubs., Am. Jewish Hist. Soc.*, No. 3, p. 18.

[64] *Case for Great Britain*, Appendix I, p. 163; *Case for Venezuela*, App. 3, pp. 9-13.

[65] Byam, *post.*

[66] *Report, U. S. Com.*, II, pp. 135, 137.

a reference by him to the colony of 1658; otherwise, a fair presumption arises, on the facts as known to us, that he has confounded his facts with his dates. Prof. Burr thought 1650 was clearly an error for 1658.[67] The facts outlined by Scott are peculiarly applicable to the colonists of 1657 and 1658. An instance of Scott's inexactness in regard to dates close to the period when he wrote appears in his reference to the grant of Charles II to Willoughby and Hyde, of the Surinam country. He speaks of this grant in connection with the year 1660 and as though it had been made in that year. The date of the grant was June 2, 1662.[68]

Passing to the further history of our colony we find, according to the Extracts from the archives, references to the unsatisfactory conditions there in May, 1660, when a Jew named Latorre, who had returned from the colony, appeared before the Committee and asked that forty of his coreligionists there, including women and children, be permitted to depart, and to return to the director the slaves they had contracted for, with a remission of one-half of the amount still due for them, the balance to be paid later, Pinto appearing willing to guarantee the payment of this balance. The question was also considered with regard to the possibility of the Jews at Tobago, who had come from Leghorn, refusing to receive the slaves they had contracted for. This implies that these Jews were also dissatisfied with conditions there and were preparing to leave.

The Extracts from the archives also show that in September, 1660, a Moses Netto appeared before the Committee in charge of the colonization, saying he had received a letter from his brother-in-law, whose name is not given, who asked in the name of the Jewish nation in the Nova Zeelandia colony, whether the Committee proposed to keep up the colony, threat-

[67] *Report, supra*, Vol. II, p. 137; Vol. II, p. 176.

[68] See copy in Hartsinck's *Beschryving van Guiana, supra*, Part 2, p. 522.

ening, if otherwise, to depart and abandon it.[69] The Committee, according to the Extracts, seem to have considered the request. That the Jews did not abandon the place appears from certain letters which will now be given, showing their activity there. de Fuentes in the meantime, as already appears, had fitted out his own ship and had gone with colonists and goods to relieve the situation. The complaint from Netto's brother-in-law must have been sent out before his arrival. Netto is again mentioned in June, 1660, in connection with de Fuentes' departure and with indications of French-Jewish colonists.

The name Nieuw Middelburg was given to the principal location on the Pomeroon, indicating that most of the colonists had come from Middelburg, in Zeeland, where many Jews resided. The meetings of the Colonization Committee and Zeeland Chamber were held in that city.

The following letter from de Fuentes, in which he pathetically refers to his inability to dispose of some of the goods he took along with him, was printed among the documents produced by Great Britain in the Venezuela boundary case. In the general index he is designated as "a Jew planter in the Pomeroon." He is further on spoken of in 1663 as the leading Jew there.[70]

NIEUW MIDDELBURGH, NOVEMBER 29, 1660.

I consider this land better than Brazil, but in order to become acquainted with its virtue one has need of a quantity of negroes and particularly a Governor with twenty-five soldiers in order to keep the land quiet, etc.

The country yields abundance of all kinds of fish, so that I having brought here about 2,000 pounds of provisions have been compelled to send the same to the islands, regarding that as fairly lost.

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[69] Appendix I. Netscher, *supra*, p. 74, also refers to this and erroneously speaks of Netto as himself writing from the colony.

[70] *Counter case for Great Britain*, Appendix, pp. 32-33. Original letter in *Stadsarchief in Veere.*

The crops are getting on very well, but the smith here is a drunkard, so that it is very necessary that a good smith and carpenter be sent hither in order to repair the aforesaid mills and to make others, for without them no sugar can be made. My vessel drawing ten feet of water was the first that came up to the factory here with its full cargo, so that a vessel of 300 tons made in Dutch fashion will be able to come into the river without unloading. It is believed that there are hereabouts some gold and silver mines, but I have not yet had an opportunity of ascertaining the truth of this.

PHILIPPE DE FUENTES.

A further letter in the following year from de Fuentes and a Willem Sommermans, who has not been identified as a Jew and may have been a German Jew, is also printed following the one just quoted. It shows the progress of the colony and refers to the unfulfilled request for a Governor, and also throws an interesting light on the situation of the colonists at this time. This letter reads as follows:[71]

NIEUW MIDDELBURGH, April 25, 1661.

At present everything is in very good condition. Everything is progressing favorably; provisions are in abundance; the grounds not only promise but yield richly; there is also very much fish here and meat as well, but meat and fish have mostly to be obtained through trading wares. The country is at present full of sugar cane, so that we have very great need of sugar boilers. Negroes are required here. Cattle are received daily from the Orinoco, but one thing is highly necessary, and that is that you be pleased to send us or to appoint a Regent as we have frequently requested. Do not regard this otherwise than it is writen or as anything but the honest truth, without exaggeration or hypocrisy and upon which you may rely.

WILLEM SOMMERMANS,
PHILIPPE DE FUENTES.

We have no record of conditions during the succeeding two years, but the following extract from a letter from J. de Fijn,

[71] *Ibid.*, p. 33, and *Veere Stadsarchief.* In the copy the name Ffalloo appears before the name of Philippe de Fuentes. This is, no doubt, the signature of another colonist, whose name appears elsewhere as Jannes Falloo. It is omitted in the copy given here.

Commandeur in Pomeroon, to the West India Company, dated at Nieuw Middelburg March 3, 1663, shows that the request for an executive had been complied with in the shape of a King Stork, and also gives us an idea of what was going on in the colony at the time.[72]

The boilers of the Jew Isaac Nanes Netto, alias Corsocrie, have been put down, but he is still in want of some ironwork for the mill; this he is expecting very soon, when he will also begin. We are therefore beginning to get some sugar, and please God things will in the future do well and more produce is to be expected. . . . .

I am here in the midst of a heap of unruly, wanton and reckless people, excepting always the pious who are very few in number, both among the Christians and Jews, and I am importuned by them all from morning until night so that I cannot remain at table in peace.

The step-father of a Jew named Isaac de Fonseca came to me weeping and complaining that he had been beaten by him and that he had called his mother a whore, which I could not allow to pass before God and the law, wherefore I had the aforementioned Jew Fonseca summoned to render an account of what he had done and if the mother were guilty to duly punish her and to deal with him as a Godless man who had despised his parents.

The fellow being wanton and insolent and unwilling to admit his fault, I had him placed in irons. The Jews took this amiss, and Isaac Henriques Morao, alias Spijcker Veth, putting himself somewhat forward I had him placed with the other because he wished to leave the country at once, and by this means I was obliged to make sure of his person and the debt he owed your honors, since I was compelled to quiet the people here.

The somewhat tumultuous Hebrew nation having become aware that the two Jews would be kept in prison until my return from Moruka began to cast sour looks at me again, and the principal one among them, Philippe de Fuentes, began to say that the planters would rise, thinking, perhaps, to feel my pulse and to intimidate me by such threats. But as he had to deal with one who would rather die than allow himself to be threatened by a crowd of giddy birds, I called the soldiers to arms in order to have the prisoner executed, not only for the crime of having beaten his father and called his mother opprobious names, but

[72] *Ibid.*, pp. 32 *et seq.*, and *Veere Stadsarchief.*

partly by reason of two charges that had been brought against him sometime ago, and wholly proved, but concerning which I had deferred sentence until then, and principally because the others were beginning to treat me with menaces, and I wished to show them that their threats only made me more resolute than timid in meting out punishment. They immediately began to beg for mercy, and the threateners were in such despair that I pardoned him and set off for Moruka. On my return from thence I examined the matter and being influenced by much entreaty and prayer I liberated him, together with the other, out of regard for the following reasons:

Here the Commandeur gives reasons which are inconclusive. Further on he writes:

Through the want of provisions, for the cassava is rotting in the ground through the heavy rain which has now been falling for some time and through the want of salt, I cannot send for either meat or fish, for the small quantity that there is still amongst the Jews and which the one has let the other have through friendship has had to be paid for at the rate of 10d per pint.

In the same letter the following references occur, apparently relating to Jews:

A negro belonging to Moses Petaete. . . . . For instance, by making narrow inquiries I got out of David Attia £100, for the piece of land that had been conveyed to him underhand; from Cardoso Lead and Abraham da Costa I also managed to get £70, less 2 shillings. . . . Received from Jacob Rodriges de Veth £133, 6s, 8d, Flemish.[73]

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[73] Referring to the name David Attia, the translator in a note states that this is really a wrong transcription for Nassy. Cardoso Lead he thought meant Cornelis Goliath. To this it may be said that there was a family of the name of Atias, noted in *Pubs.*, No. 10, p. 157, as residing in Curaçao in 1705, and one named Arias, who was a member of the Jewish community in Surinam in 1669. See *Pubs.*, No. 4, p. 3. *Essai historique*, II, p. 132. Goliath was the commissary general and engineer, and was probably not a Jew. In the same letter he is mentioned as being dead. Isaac Henriques Morao can be identified with Isaac Henriquez Morao, buried in Curaçao in 1673. See *Pubs.*, No. 10, p. 156. Isaac Nanes Netto was probably the Isaac Netto

Information as to the population of Pomeroon and the neighboring colony at Moruca or Moruka, derived from Spanish sources, shows that about the year 1663 there were more than 1000 Dutch colonists and 400 wealthy Indians who had been expelled from Brazil, and also a greater number of negro slaves, "founding a new Brazil." Essequibo is referred to as having a fort. Among the Dutch in this estimate, which is probably below the true figures, must have been included many Jews who came from the Netherlands and Italy.[74]

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until lately supposed to have been the first Rabbi in Surinam, about 1674 (see *Jewish Encyclopedia*, I, p. 494; *Pubs.*, No. 3, p. 18, No. 7, p. 132), but who is said to have been preceded by one Meatob in 1643. Cf. *Pubs.*, No. 13, p. 128. Nanes was no doubt intended for Nunes. An Isaac da Costa and a Bento da Costa appear as members of the Surinam community in 1669, as also David Nassy and an Alans de Fonseca, Nassy being also known as Joseph Nunes de Fonseca. These last two may be the same as the David Nassy and Alonzo de Fonseca noted as Dutch with English connections. See Mr. Lucien Wolf's *Cromwell's Jewish Intelligencers*, in *The Jewish Literary Annual*, London, 1904, pp. 99, 100. Bento de Costa is also noted as an English Jew, in British *Cal. of State Papers, Dom. Ser.*, 1655, p. 47. *Pubs.*, No. 5, p. 132 mentions an Abraham da Costa as an owner of a plantation in Surinam. The Isaac de Fonseca mentioned in de Fijn's letter may have been the one of that name appearing in Barbados and Curaçao in 1656. See *Pubs.*, No. 10, pp. 153 *et seq.* Moses Petaetè is probably an error for Moses Peraira or Pereira.

[74] *Case for Great Britain*, Appendix I, p. 159, 152. See also *The Guiana Boundary*, by Prof. George L. Burr, 6 *Am. Hist. Rev.* (October, 1900), p. 57.

In the report as to this estimate appears a statement that the Spanish scout sent to reconnoitre the territory occupied by the Dutch reported that on his return he met a small vessel, apparently from the settlement on the Pomeroon, with two men in it as prisoners, who spoke Spanish, one of whom gave him to understand that he had been born in Madrid and had been an Augustinian Priest and had gone to Amsterdam where he had allowed himself to be circumcised, and on that account was sent to the inquisition at Cartagena. *Case for Great Britain*, App. 1, p. 159.

We find no mention of our colony until the following year. Apparently from a reference to it under the date of 1664, some of the Jews had left previously and gone to Cayenne,[75] to which additional colonists from Amsterdam had been sent in 1663.[76] The reference to these new settlers in Cayenne from Amsterdam is made just after speaking of the Jewish colonists of 1659 from Amsterdam, and of 1660 from Leghorn. Though not mentioning Jews, these were no doubt among the new arrivals. After the capture of Cayenne by the French under de la Barre, in 1664, it seems that the captors, who came from Rochelle, did not comply with the conditions under which the fort there was surrendered by Guerin Spranger, which included several provisions for the benefit of the Jews.[77] They seized a number of Dutch vessels which had come to trade, plundered the inhabitants, and finally shipped both Jews and Christians to Rochelle, leaving them to find their way to Holland as best they could.[78]

[75] *Annals of Guiana, supra*, I, p. 166.

[76] Netscher, *supra*, p. 356.

[77] *Annals, supra*, I, p. 164; *Jewish Encyclopedia*, title *Cayenne*, III, p. 634.

[78] Hartsinck, *Beschryving van Guiana* (1770), p. 163; *Essai historique* (1788), p. 13, and *Annals, supra* (1888), I, p. 164. The *Essai*, citing Hartsinck who supports the text, apparently misreads its authority and states that the French brought a great number of Jews and Christians from Rochelle.

Hartsinck cites a contemporary authority which fully supports his statements. This is deemed important and is given in the original Dutch and in translated form:

Hollandtze Mercurius, July, 1664, p. 127 (Haerlem, 1665).

"In America hadden de Neerlanders Cajane/ een Provintie aen de Reviere d'Amasones/ en daer wat Catoen/ Indigo/ en Suycker valt/ langhen tijt deugdelijk beseten/ en door 't af-senden van veele Huysgesinnen/ daer onder oock Joden/ een tamelijcke Colonie ofte Inwooninge/ gehouden als met d'Indianen daer wel over een komende/ benijt: De Fransen sonden een Vloot onder Sr. Barre derwaert/ die den 20 Maert van Madera/ daerse

Some of the Dutch settlers, say the English historians,[79] "returned to Essequibo and the Pomeroon. Having been accustomed to sugar planting they were unfitted for any other business and therefore most of them came back to Guiana in the first Dutch vessels."

In 1665, continue our authorities,[80] "the Pomeroon colony was far more important than that of Essequibo. From the time of the accession of the Portuguese Jews who were well acquainted with the sugar manufacture, a number of plantations were laid out and sugar buildings erected, so that the settlement was apparently in a fair way to become prosperous. Sugar from Nova Zeelandia was already being sold at Mid-

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hun ververst hadden van water/ dat in Vranckrijk op lange reysen niet en deugt/ af staken/ hebbende sich oock voorsien van partije Cabricien/ om Cajane/ dat sy gemackelijk overvielen/ te populeren: Zy namen met gewelt 't Fortje Ceperoux, en noemden 't St. Louijs. De Françosen kregen noch 6 Schepen daer toe, en ruyneerden d'Ingeseten. Zy voerden de Joden en Christenen van hun welvaren berooft en seer pover gestelt na Rochel/ om van daer te mogen voeteeren nae hun Vaderlandt."

"In America the Dutch possessed and had for a long time worthily occupied Cayenne, a province on the Amazon river where cotten, indigo, and sugar grows, and by sending out many families, among them also Jews, had established there a fair colony or abode, and had also come to a satisfactory understanding with the Indians. The French sent thither a fleet under Sieur Barre. On March 22d they left Madeira where they had refreshed themselves with water of good quality which they could not stock themselves with in France for the purposes of a long journey, having also provided themselves with a party of Cabricians in order to populate Cayenne which they easily captured. They took by force Fort Ceperou which they called St. Louis, and, in addition seized six ships and ruined the inhabitants. They carried the Jews and Christians, bereft of their property and in deep poverty, to Rochelle whence they were permitted to go afoot to their Fatherland."

[79] *Annals, supra*, Vol. I, pp. 164, 166.

[80] *Ibid.*, p. 188.

delburg, and there was every probability of a large increase in cane cultivation, as the soil in Pomeroon was more suitable than any of the upper districts where the other colonies were situated."

The colony at this time was described by a contemporary writer qualified to judge, as the most flourishing one the Dutch ever had in America.[80a]

The prospects of the colonists, however, were suddenly brought to an end by the invasion, in the winter of 1665-6, of the English from Barbados, under the command of Major John Scott, acting under orders from Lord Willoughby who, taking advantage of the war then in progress between England, France and Holland, planned the expedition. Scott, after first seizing Tobago in October, 1655, then occupied by the Dutch, captured all the Dutch establishments in Guiana west of Berbice, and after destroying the plantations in Pomeroon which he had taken in January, 1665-6, and leaving a garrison there and also at the fort in Essequibo, returned to Barbados in April, 1666.[81]

Speaking of the situation of the Dutch colonies in Guiana at this time and the effect of the English invasion which he describes, William Byam, then Governor of Surinam, writing afterwards, about 1669, says:[82]

"Many [of] the Dutch, French and Jews were soone upon ye

[80a] Gov. Byam's *Journal*, cited below, quoted in *Report, U. S. Com.*, II, p. 137. "But there greatest of all they ever had in America was Bowroom [Pomeroon] and Moroco [Moruka] alias New Zeeland, a most flourishing coloney 16 Leagues Leeward of Discecabe [Essequibo]."

[81] *Report, U. S. Com., supra*, I, p. 197; II, p. 135, and note, p. 137; Rodway, *Hist. of British Guiana*, I, p. 6; Scott, in *Sloane MS.*, No. 2662, f. 37 verso *supra; Case for Great Britain*, Appendix I, p. 171.

[82] *Lieut.-Gen. Byam's Journal of Guiana, from 1665 to 1667: "An Exact Narrative of the State of Guiana, as it stood Anno. 1665, particularly of ye English Collony in Surynam,"* &c., British

Wing to the French islands Martinico and St. Christophers, &c., and those that remained grew discontent."

Not all the colonists, apparently from the foregoing passage, departed. But soon the few that remained were plundered by the French who originally were allies of the Dutch in the fight against the English. The English troops were almost starved out by the Indians refusing them supplies, and later were glad to surrender to a Dutch force sent against them.[83]

We shall now consider what became of the Jews in Pomeroon and Tobago, and also, as related to that subject, the state of the Jews in Surinam about this time, and how the British grant to them of 1665 came to be made.

We have seen that the Jews in Pomeroon and neighboring settlements, in what was known as Nova Zeelandia, had been accorded full religious liberty under the Dutch and a certain amount of civil rights. How many of them, after the destruction of their plantations went to Surinam we can only surmise, but, from various considerations, we may conclude that most of them went thither. Before the destruction of Pomeroon in January, 1666, the colony must have received accessions from Cayenne after that place had been captured by the French in 1664. This seems more likely than that all the Jews from Cayenne immediately went to Surinam for a permanent location, as the Dutch were then in Pomeroon and in Tobago and Essequibo. The Dutch in Cayenne would naturally have gravitated thither and with the privileges and immunities enjoyed by the Jews in these Dutch locations and not yet in Surinam, the probabilities point to the Jews accom-

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Museum, Sloane MS., No. 3,662, fol. 27. Printed in full in *Bijdragen en Mededeelingen van de Historisch Genootschap, gevestigd te Utrecht*, 's-Gravenhage, 1898, Vol. 19, pp. 232, etc., and edited by Rev. George Emundson; and in part in *Report, U. S. Com., supra*, II, pp. 137, *et seq.*, and *Case for Great Britain*, Appendix I, pp. 167 *et seq.*

[83] *Ibid.*

panying them and hastening to the Pomeroon which was then a growing colony, or to Tobago, and to their not going in numbers to Surinam which was an English possession and not then offering them the freedom granted by the Dutch. This will be referred to again further on. It is, however, likely that those who had previously left Surinam to join their Cayenne brethren returned to Surinam after the expulsion and that these were accompanied by a few others. The reason why past accounts have spoken of the Cayenne colonists as going after the expulsion to Surinam is no doubt because that was the nearest place known to us, until recently, where Jews settled shortly after that time and also for a further reason shortly to be stated. The existence of a Jewish colony at Pomeroon between 1658 and 1666 has not heretofore been noted, nor one at Tobago, and the probability that the Jews went to these two places has not been considered. The writers of the *Essai historique,* one hundred and thirty years after the event, and without access to some of the data mentioned in this account, do not seem to have been aware of the Pomeroon colony as containing Jews or even as in existence at the time, and do not mention Tobago. Shortly before they wrote in 1788, there had been considerable discussion as to whether Jews should be permitted, under the Dutch, to reside and trade in Essequibo and Demerara, and their book is said to have been written as an answer to another work which devoted a chapter to a protest against such permission.[84] Even the occupation of Surinam by the Dutch before 1650 seems to have been unknown to them. They may have thought Jews had not been in Essequibo before their time. Netscher, seem-

[84] *Brieven over het Bestuur van Essequebo en Demerary, gewisseld tusschen Aristodemus en Sincerus,* Amsterdam, 1785-1788, III, bijlage G, pp. 70-83. A copy is to be found in Harvard University Library. Cf. Netscher, *Geschiedenis van de Koloniën Essequebo,* etc., *supra,* p. 386, and *Essai historique, supra,* Vol. I, pp. 141-142.

ingly following the *Essai historique,* makes the statement[85] that the Jews took the road to Surinam, and there established themselves on the Savannah. He adds that with their knowledge of agriculture they gave an impetus to the sugar industry in Surinam where forty to fifty plantations were to be found flourishing by 1665. The number of these belonging to the Jews are, however, not distinguished.[85a] The state of the Surinam colony in 1665 will be given further on.

Other writers speak of the Jews as going to Jamaica and Barbados, as well as to Surinam,[86] while the historian of the Jews in Curaçao speaks of them as going to Curaçao.[87]

The *Essai historique,* though stating that in 1652 Willoughby sent three vessels to Surinam with several families of English and Jews, together with ammunition, merchandise and everything necessary for a settlement, does not seem to

[85] Netscher, *supra,* p. 356.

[85a] In 1668, two years after the Pomeroon plantations were destroyed, it seems the Jews had a number of plantations at a distance from Paramaribo where they were not likely to be affected by an attack on that city which was planned by the English in Europe after Byam's surrender of Surinam in 1667. This is mentioned in the *British Cal. of State Papers, Col. Ser., Am. and W. I.,* 1661-1668, p. 552.

[86] *Pubs.,* No. 2, p. 95.

[87] Rev. Joseph Corcos, *Synopsis of the History of the Jews in Curaçao,* Curaçao, 1897, pp. 18, 19. He refers to them as Italian Jews, and adds, that in 1693 some left Curaçao for Tucacas, Venezuela, which is a small island nearly opposite and southeast of Curaçao, and also for Newport, R. I., with, among others, Judah Touro's father, Abraham de Touro, who became their Hazan there. He cites no authority, and follows his statement with a reference to the Tucacas congregation in 1720, leaving the inference that his previous remark about the Cayenne Jews going finally to Tucacas was a mere opinion derived from the existence of a Jewish congregation at that place in 1720, with Italian members, and the fact, as also mentioned by him, that Italian Jews went to Cayenne under the grant to David Nassy of 1659. Jost, in his *Geschichte der Israeliten,* VIII, p. 242, speaks of a colony

regard that settlement, so far as the Jews are concerned, as of importance in their history there, but speaks of numbers arriving there after the capture of Cayenne by the French in 1664, saying that this made a considerable increase in the population of Surinam, composed principally of Jews, and that the new arrivals of Jews united with the Jews who had come from England with Willoughby in 1662.[88] There is some probability that the reference in the *Essai* to the year 1652 was an error for 1662 when the charter to Willoughby and Hyde was made. As already mentioned, that charter refers to Willoughby's sending colonists to Surinam in 1650 and afterwards, but does not mention Jews. In 1650 and 1652 Jews are not known as being openly in England while in 1662 when the charter was granted they had become recognized as part of the population of that country. Many who had been in Brazil had gone to England from Holland after their return to the latter country and their suffered permission to reside in England. The *Essai* does not, as already mentioned, refer in any way to the Pomeroon or Essequibo settlements, though speaking of the mania or furore in Holland for forming colonies in the New World, probably having in mind, as among these, only the Jewish colony that went to Cayenne.

In support of the opinion that the Jews from Cayenne went to Surinam it cites a work published in 1767.[88a] This

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of Jews from Brazil settling in 1639 at Lucayo. This may be an error for Tucoyo, in Venezuela, in the immediate vicinity of Tucacas, or Tobago may have been meant, though one of the Bahama islands was then known as Lucayo. The date 1639 is probably an error for 1659, as Jost makes a similar error in date in regard to the Cayenne colony, which he speaks of as of 1639, instead of 1659. He cites Robertson's *History of America* without giving the page, and his reference cannot be found.

[88] *Essai*, pp. 12, 20, 22.

[88a] *Hedendaagsche Historie of Tegenwoordige Staat van Amerika*, Tweede Deel (Amsterdam, 1767), p. 450.

states, referring to the settlement in Cayenne, that "many Jews had settled there, but when the Netherlanders were driven from Cayenne they went with them to Surinam."[88b] No authority, however, is given in that work in support. It is unlikely that the Dutch in 1664 would have gone to Surinam, seeing that the English then were in possession and the Dutch had flourishing colonies at Essequibo and Pomeroon and also at Curaçao and Tobago. The Jews went with the Dutch, and if the latter did not settle in Surinam in 1664 after being driven out of Cayenne, the Cayenne Jews also did not then settle there. Writers of the seventeenth century do not mention Surinam as the destination of the Jews or Dutch after the capture of Cayenne in 1664. du Tertre, in particular, who has already been cited herein and who wrote in 1671 about the Jews and Dutch being in Cayenne, and about the capture of that place by the French in 1664, fails to make any reference to either of them going to Surinam after the capture, or to Martinique, a French possession where some Jews already were.

The *Hollandtze Mercurius,* of July, 1664, p. 127, already cited, which gives a contemporary account of the capture, also does not mention Surinam in this connection.

Hartsinck, who, as stated, describes the capture of Cayenne by the French, likewise makes no mention of Dutch or Jews going then to Surinam. This he would naturally have done if such were the case, writing as he did, the best account of the Dutch in Guiana.

A possible further explanation of why the Jews are mentioned as going from Cayenne to Surinam in 1664 and why Pomeroon is not designated by name, even if known, may be found in the fact that after the capture by the English, under

[88b] "Veele Jooden hadden sig aldaar nedergezet, doch toen de Nederlanders van Cayenne verdreeven werden, gingen zy mede over naar Suriname."

Willoughby's orders, of the Pomeroon and surrounding colonies, the new territory became known as part of Willoughby Land or Surinam and lost its identity as an independent territory, being all then under one government, and also because in later years when the Dutch occupied the greater part of Guiana, including the Essequibo and neighboring settlements, the whole of their possessions was generally known as Surinam, and writers on the subject of the Jews there made no distinction as to what part of Surinam the Jews from Cayenne first went to. An English map of 1733 shows Surinam as including the Essequibo and Pomeroon.[89] Even the Dutch work already referred to in a note, by Otto Keye, published in 1659 and which has been described as a larger prospectus to induce colonization in Guiana, speaks in its title page of the land to be colonized as the "Landstrekke Serrinamme," or the Surinam country, although at that very time what is now known as Surinam was occupied by the English.

To this it may be added that after the destruction of Pomeroon many of the Jews who had probably gone there from Cayenne no doubt went with other Jews from Pomeroon to the Savannah at Surinam, and the designation of Cayenne Jews remained with them when they settled at the Savannah. They were all found at Surinam at the time of the treaty of Breda in 1667 and none as a colony in Pomeroon whence they had fled after the invasion of the English early in 1666. Hence the Jews were considered all as of Surinam when Crynssen recovered that place from the English in 1667 and when the treaty of Breda was made in that year. Thus the Jews from Cayenne who had gone to Pomeroon or Tobago and then afterwards to Surinam were, by later writers, considered as having come from Cayenne to Surinam and not from Pomeroon or Tobago.

That there were not many Jews in Surinam at the time

[89] See *Report, U. S. Com.*, Vol. IV (*Atlas*), p. 34, Popple's Map.

when the grant of that country was made by Charles II to Willoughby and Hyde on June 2, 1662, may be gathered from the petition of Benjamin and Henry de Caseres and Jacob Fraso, Jews, to the King of England, in April, 1661, for permission to reside and trade in Surinam and Barbados, and from the recommendation of the Council for Foreign Plantations on June 5, 1662, to grant such permission, from which it appears that at this time Jews were not permitted to trade in the English colonies without a special license.[90] One of these men can be identified as a Jew in Surinam in 1669, under the name of Henriques de Caseres.[91]

The English records show no further applications of Jews for permission to go to Surinam about the time of the Willoughby grant, and, notwithstanding the unsupported statement in the *Essai* and in the *Surinaamsche Almanak* for 1899, it may be doubted whether many English Jews went to Surinam before 1665.

In a work published in 1671, but apparently limited to events up to between 1660 and 1665, we find a significant reference to the small number of Jews in Surinam under the English. The statement there reads: "Some few Jews live here and trade also as merchants, they having obtained a license from the King so to do."[91a]

[90] *Pubs., Am. Jewish Hist. Soc.*, No. 5, pp. 63-64.

[91] *Pubs.*, No. 4, p. 3; *Essai historique*, II, p. 134. Also Appendix IV.

[91a] Lewes Roberts, *The Merchants' Map of Commerce*, London, 1671, p. 60, 2nd Edition. See p. 62 for reference to date of 1660. The same statement appears in the 3d Edition, 1677, p. 60; and in the 4th Edition, 1700, p. 58, when the English no longer were in Surinam. The 1st Edition, 1638, contains no reference to Surinam. All these Editions are at Lenox Library.

On the subject of religion we read in the same work, p. 61, that no power is given to priest or prelate "to exercise authority over the conscience of others though different in opinion: So that the Jews and others of different judgments (they yielding obedience to the civil laws) are protected and live peaceably and quietly in this place."

Elsewhere also we can find even before 1662 allusions indicating that there were very few Jews in Surinam. In a work published in that year [92] we find a reference to disputes in the latter part of 1661 between some of the English colonists and the authorities with reference to the disregard of the rights of the former under Magna Charta. To test the right of William Byam to act as Governor, a shallop belonging to one Cryn Jacobson, described as a Dutchman who had been in Surinam in 1650 when the place was taken by the English and had been allowed to continue to reside there since, was seized as a prize under the Navigation Act of 1660. It was expected that Byam, on a trial before the Admiralty Court at Jamaica, would thus be compelled to define his authority to act as Governor. Speaking of the contention between him and the malcontents, the statement is made by the writer of the work referred to, who was one of the colonists disciplined for his recalcitrancy, that Byam and another official were "wrought upon by the tears of a Jew who had great prevalencies on them" (possibly referring to Jacobson's prayers for relief), and also that a certain Captain Crook, a coadjutor of our informant, had made the declaration that "neither Dutch or Jew should live here" (in Surinam).[93]

Early in 1665 we find also a reference to two Jews sailing from Rotterdam in February, 1664-5, for Surinam being held up on their way on the Thames. That they reached Surinam may be judged from the fact that the name of the family of one of them, Meza, appears as Mera as a member of the Jewish community in Surinam in 1669, and that of Mera and Baruh as among the Jews claiming to be English subjects in 1677.[94]

[92] Robert Sanford, *Surinam Justice*, London, 1662, At Lenox Library.

[93] *Ibid.*, pp. 34, 37.

[94] *Pubs.*, No. 4, p. 3; *Pubs.*, No. 6, pp. 17-19; *Essai historique*, II, p. 134; Appendix IV; See British *Calendar of State Papers, Domes-*

The reference in Byam's *Journal,* quoted above, to the Jews, French and Dutch being, after Scott's invasion, soon on the wing for the French Islands of Martinico and St. Christophers, etc., did not specifically mention by name the destination of the Jews and Dutch but indicated only that of the French. du Tertre refers to the capture of Tobago and speaks of the English, after garrisoning the island, removing the French to Martinique, but does not mention the Jews or Dutch.[94a] The Jews at that time would not have gone in any

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tic Series, 1664-1665, p. 229: "Petition of Abraham Meza and David Baruh and their families to the King for permission to come on shore, being all in perfect health. Came from Rotterdam and are on their way to Surinam, but were stopped at Tollhaven in the Thames by his order."

We also find a reference, under date of June 22, 1663, to a David de Mercato, as the inventor of a sugar mill and as one who "by his long residence in the West Indies, with much study, charge and expense hath attained to the perfection of making and framing of sugar mills after a new manner." This reference is in connection with a warrant to Francis, Lord Willoughby, and Lawrence Hyde, of the sole right to use this invention in the Barbadoes and Caribby Islands. Willoughby and Hyde were the joint proprietors of Surinam and not of Barbados, and the presumption is that this invention was primarily intended for use in Surinam. David de Mercato was no doubt the same as David Raphael de Mercado, a Hebrew, noted as having received, in 1655, a pass from Cromwell to go to the Barbadoes, where Willoughby was then Governor. *Pubs.*, No. 6, p. 160. The name also appears among the list of Jews in Barbados in 1680 as David Ralph deMereado. *Pubs.*, No. 1, p. 105. He was probably for a time in Surinam. A further reference to this invention appears under date of January 2, 1664, where the statement is that the warrant is issued for a grant to Willoughby and Hyde, "of the sole making and framing of sugar mills after the new manner invented by David de Mercato, who is desirous for the said grant to be made to them, they giving him all due encouragement." See British *Calendar of State Papers, Colonial Series, America and West Indies*, 1661-1668, p. 144; *Calendar of State Papers, Domestic Series*, 1663-1664, p. 427.

[94a] du Tertre, *Histoire generale des Ant-Isles, supra,* III, p. 245.

numbers to Martinique or to St. Christopher, as those islands then belonged to the French who were not friendly to Jews. At Martinique those already there were only tolerated, and restricted in their occupations, and any new accessions would not have been likely to be received.[94b] The only refuge of the Jews eastward of Pomeroon was at Surinam or at Jamaica or Barbados. Westward they might have gone to the Dutch island of Curaçao, but as that was about a thousand miles away they probably did not go there in numbers, though a few must have found their way thither, judging from the references noted to some being there some years later. We have no indication, in the literature of Curaçao, of any accession of Jews from Pomeroon or Essequibo at this time or at any time. Conditions at Barbados, as will be indicated, were not then conducive to attracting them thither, while if they had gone to Jamaica to stay they would have had some difficulty in being received there, as they were not English denizens. Surinam was only about one hundred miles away, and was then on the lookout for Jewish colonists and had not long before made a special invitation to Jews in the grant of August, 1665. This invitation, before the Pomeroon plantations were destroyed and Tobago captured, they had not had occasion to avail themselves of. There was then no reason why they should leave for a colony under a different form of government. The one of which they formed an important part appears, as already stated, as then the most flourishing the Dutch ever had in America.

The probabilities all point to their having gone after the loss of their plantations to Surinam. The occurrence of the family names of deFonseca, daCosta, Nunes, and Attias or Arrias in both places is significant on this point. Being without a home the locality in which they could have religious freedom and civil rights such as they enjoyed in Pomeroon or

[94b] *Ibid.*, III, pp. 71, 313, 315. *Jewish Encyclopedia*, title *Martinique*, Vol. VIII, p. 353.

Tobago, would naturally have attracted them.[94c] Whatever Jewish colony may have been in Surinam early in 1665 had not, according to the English historians of Guiana, been in a flourishing condition.[95] The Jews that may have gone there in 1664 from Cayenne to join the few already there had probably located temporarily on the Savannah, where the few who may have settled there resided, and remained there until definite arrangements could be made for a permanent settlement. It is not likely that all the Jews in Cayenne went there. Some must have gravitated elsewhere. If we can credit the statement in Hartsinck's *Beschryving van Guiana,* already cited, and he is considered a good authority, most of the Cayenne

[94c] The attack on the Pomeroon colony was made by the English from Barbados, who do not appear, according to Byam's *Journal* and Scott's account, to have been assisted by the English from Surinam, though after the capture of Pomeroon, Byam sent some of his men, on Willoughby's orders, to take a Dutch colony near Cayenne. The English in Surinam cannot be regarded as having been so inimical to the Jews of Pomeroon as to preclude the latter flying to Surinam in order to re-establish themselves there after the destruction of their plantations, particularly in view of the grant of privileges made in the preceding year and the fact that there were a few Jews already there and the English apparently had obtained control of nearly all the Dutch settlements in Guiana. That Byam's *Journal* does not speak of the Jews from Pomeroon going to Surinam does not militate against the probabilities of their having gone thither in 1666. He also makes no specific mention of the grant of 1665 to the Jews, nor of any accession of Jews from Cayenne in 1664 and afterwards, nor even of any Jews as among the population except in 1667 when speaking of a visit made by him with some of them to Crynssen in regard to the terms of his surrender to the Dutch in that year. A reference to this visit will be made further on. His account being intended as a defence of his conduct in surrendering Surinam to the Dutch is devoted mainly to detailing the circumstances leading to and justifying his surrender, and nothing in it is inconsistent with the conclusions drawn herein regarding the accession from Pomeroon.

[95] *Annals of Guiana, supra,* Vol. I, p. 174.

Jews were transported by the French to Rochelle, and from there found their way to Holland, but this being so, it is probable that some few had escaped from Cayenne and these may have been considered as the nucleus of the Cayenne Jews settling in Surinam. Until the grant of 1665 the refugees had no assurance of safety in Surinam. They were aliens and subject to being treated as such. A special license, as already indicated, was necessary for Jews going thither from Europe, and the Navigation Act of 1660 affected Jews trading or doing business in Surinam, if aliens, or not made denizens. The Cayenne Jews came under the prohibition of the Act. The grant of 1665 makes no reference to any late accession of Jews from Cayenne, but speaks only of Jews who were already resident there.

What led to the grant of 1665 we may gather from a knowledge of the state of the colony of Surinam at that time, and from a consideration of how far the authorities were influenced to make the grant by the conditions then existing.

Willoughby Land became the official designation of Surinam after the charter of Charles II to Willoughby and Hyde of June 2, 1662. William Byam, its Governor, makes the statement in his *Journal* of the state of the colony between 1665 and 1667,[96] that in May, 1665, the colony of Willoughby Land was " in its meridian, and after this month had its declination and went ever retrograde." Lord Willoughby, one of the proprietors, he adds, was then there on a visit, and on the 9th of that month sailed for Barbados of which he was Governor. Shortly afterwards, about 200 able men departed from the colony and left it insufficiently armed. A sickness broke out at the town of Tarorica, the old capital of British Guiana, and spread itself to the plantations adjoining and swept many away.

[96] *Bijdragen van de Historisch Genootschap, te Utrecht, supra,* Vol. 19, p. 233.

Upon Willoughby's departure, says Byam, "some jealousies possessed the inhabitants, which broke out into great discontent. The colony employed one Captain John Parker to Barbados to his Excellency, whose so prudent and judicious management returned him with a satisfactory declaration which stopped many then upon ye wing ready to desert the colony to some place where they might not be tenants at will." [97]

This "satisfactory declaration," we may judge, related to the Jews as well as to the Christians in Surinam, and as to the Jews was probably none other than authority for the grant of privileges to them. They had probably met with difficulties in Surinam at the time, and demanded protection or threatened to leave for the colony on the Pomeroon, being probably treated as in Surinam merely on sufferance. As tenants at will they were liable to lose their lands at any time the authorities chose to demand possession. If from Cayenne they were not long enough in Surinam to be regarded as other than temporarily located there, and felt themselves at liberty to threaten to move. Governor Byam must have had reference to them, among others, in speaking of the great discontent of some of the inhabitants and their threatening to leave for a place where they might not be treated as tenants at will. Even a few Jews there with their plantations for sugar were of importance to the colony. A threat to leave would be most likely to be made by people who were not there long, or who were not satisfactorily treated. Such other place, so far as the Jews were concerned, undoubtedly meant Pomeroon, Tobago, and the surrounding Dutch possessions. We have seen, under other conditions, how that the Jews on the Pomeroon, in 1660, had threatened to leave that place on the failure of the Dutch authorities abroad to give them proper consideration.[98] They would not have then gone to Barbados

[97] *Ibid.* See also *Sloane*, MSS., 3662, fol. 37 *verso*, by Major John Scott, *supra*, *Case for Great Britain*, Appendix I, p. 171.

[98] See Extracts in the *Appendix*.

of which Lord Willoughby, one of the Surinam proprietors, was then Governor, for the reason that similar complaints of being tenants at will had been made about that time by planters in Barbados and discontent had arisen there from that cause.[99] The Surinam authorities must have felt the desirability of having the Jews as residents, in view of the loss of a considerable number of their able-bodied men and the commencing decline of the colony's prosperity. The Jews had means and were acquainted with the cultivation of the sugar cane, and were apparently desirable colonists. Wealth was then largely reckoned in sugar.

The grant of 1665, through its recitals and liberal terms, indicates the anxiety of the authorities to retain the Jews already in Surinam and to induce others to go there. It speaks of the desire to "encourage" the Jews who had "proved themselves useful and beneficial" to the colony, "to continue their residence and trade" in Surinam, and offers liberties to them or "members of the Hebrew nation now resident here or who may hereafter come to reside and trade here," and speaks of it being "good and sound policy" to "invite persons of whatsoever country and religion to come and reside here and traffic with us." These recitals imply that such of the Jews as were at Surinam needed encouragement to remain and that they had felt discouraged at conditions there and had thought of leaving and also that a bid was thereby made to induce emigration from Pomeroon and the other Dutch possessions. The various provisions of the grant were made liberal enough to accomplish the object of the authorities. The reference in it to the Jews to "receiving them under the protection and safeguard of our government, with all the property they now hold or shall hereafter possess and import from any foreign place or kingdom abroad," indicates a people that were or had been subjects of another power, and a desire to induce others

[99] John Poyer, *History of Barbados*, London, 1808, p. 78.

under a foreign jurisdiction to take up their residence under the English flag. It also implies that a doubt had existed in the minds of the old or intending colonists with regard to the security of their possessions while in Surinam. The promise also made that "nothing of what they now possess or shall hereafter acquire shall be taken from them or be appropriated among ourselves by any person of whatever rank," and that they shall have "full liberty to plant and trade and do whatever they might consider to their advantage and profit" indicates also that the Jews were foreigners in Surinam and had not definitely settled there and that their property had been or was likely to be subject to seizure as such foreigners, and as coming within the prohibition of the Navigation Act of 1660 directed against aliens trading in the colonies, under which their goods were subject to forfeiture, one-third going to the Governor, one-third to the informer, and one-third to the crown.[100] That prohibition alone would have been sufficient, as being enforceable against them at any time, to have caused the Jews as a body to refrain from then settling in Surinam. The reference to their property not being "taken or appropriated among ourselves by any person of whatever rank," apparently refers to a seizure which had been made under the Navigation Act, on the complaint of some officer of rank,—possibly to a repetition of the Cryn Jacobson case, already referred to, or to that case. Without the exemption of the forfeiture of their goods for trading as aliens there, or for carrying on the business of merchant or factor, as stated in the Act, and without the assurance from the authorities that their goods would not be seized, the Cayenne Jews or those looking about for a new location certainly would not have taken up a permanent residence under the English in Surinam. This assurance and exemption they could only get, under the Act, by being made free denizens or citizens. The grant therefore declared that they should be regarded as Eng-

[100] 12 *Carl.* c. 18, sec. 2, *Statutes of the Realm*, V, 246-250.

lish born and entitled to all the rights of other English citizens in the colony. The requirement that they should be "true subjects to the King of England and obey all orders already issued by him" was immediately qualified by the following sentence that "none of these orders shall be contrary to what is herein contained." This, with the provisions of the grant, relieved them from the operation of the provision of the Navigation Act alluded to.

The lapse of time between the expulsion of the Jews from Cayenne in 1664 and the issuing of the grant is, in view of the Navigation Act, significant of the fact that the Jews of Cayenne were not, during that interval, engaged in business in Surinam if they were in numbers there at all. If there in the interval, the issuing of the grant indicates that at the date of its execution some necessity or demand for it arose, and that similar privileges had not theretofore been enjoyed by the Jews in Surinam.

A reference in the petition of 1669 to the Dutch Governor for additional privileges indicates that the Jews desired to be protected in their rights. The copy in the Appendix shows that information was asked of the Jews in Surinam by their brethren in various quarters, who desired to settle in the colony, as to the condition of affairs there and how the Jews were treated. It may also be pointed out that this petition refers to the English grant of 1665 as that under which privileges had been granted to the Jews, and makes no mention of a prior English grant to them. Had such a prior grant existed it would undoubtedly have been mentioned in connection with their application for additional privileges, which was made to the Dutch and not to the English, any reason for avoiding a reference to the Cromwellian government, as suggested by Mr. Lucien Wolf, not being then applicable. Some of the additional privileges asked for were, as already stated, among those in the grant discovered by Mr. Wolf and claimed by him to be an English grant but shown herein to be of Dutch origin.

The grant of 1665 was an extraordinarily sweeping one to have been made, and, so far as we know, is the first of its kind granted by the English to Jews anywhere. Its terms read almost, in view of the situation at the time and its liberality, as if it were forced from the authorities who feared for the life of their colony. The Dutch, however, as indicated herein, had preceded the English some years before in even more liberal treatment of the Jews, in the grant of religious freedom and civil rights to them in the neighboring colonies on their emigration from the Netherlands. The tolerance of the Dutch may be said to have reacted upon the English in Surinam, for without the Dutch in the neighborhood and the example of the effect of their liberal treatment in the growing prosperity of the Pomeroon colony, it is exceedingly doubtful whether the English would have made the grant of 1665 to induce the Jews to reside and trade in Surinam. The copying of many of the provisions of the Dutch grant indicates that the Jews required these similar provisions before consenting to settle permanently under the English, or at least that the English felt that the Jews would not settle or remain with them unless they were granted privileges similar to those their coreligionists were enjoying under the Dutch.

That the Jews were powerful enough to dictate terms is also indicated by the fact that shortly after the Dutch regained possession of Surinam in 1667 the latter yielded to the petition of the Jews in 1669 for the additional privileges already referred to, which they had intended to ask immediately after the English had surrendered in 1667, but which the troubles in the following two years prevented. This petition was signed by the leading members of the Jewish community, and set out a copy of the grant of 1665 and added the further provisions which they desired. The signers stated that their coreligionists in various quarters awaited a confirmation of the old privileges and the granting of the proposed additions before deciding to settle in Surinam. The terms of two of

these further provisions have already been indicated. The two others related to the control of church matters by the Jews themselves, with recourse to the Governor for enforcement if necessary, and permission to labor with their slaves on Sunday.[100a] Surinam having been taken from the English by the Dutch, the Jewish inhabitants there, though many of them from Holland and under the Dutch in Pomeroon having enjoyed similar privileges, naturally could not be regarded by the conquerors as entitled, as a matter of course, and without governmental action, having been English subjects, to the identical privileges which they had enjoyed in Pomeroon, and it was therefore necessary for them to have the English grant confirmed by the Dutch. It was also expedient for the Dutch then to grant the petition because of the large number of Jews in Surinam and their usefulness as colonists acquainted with the cultivation of the sugar cane and other agricultural products.

The grant of 1665 is often spoken of as having been made by Charles II or by the British Government. It does not seem to have emanated from England. On its face it is a grant from the Governor, his Council and Assembly, and is signed by John Parry, as secretary. Parry, according to tables in the *Essai historique* was Secretary in Surinam from 1662 to 1665. The proprietors, under their charter, had the right, through the form of government established by them, to pass such laws as they thought proper for the administration of their colony. The date of the grant was August 17, 1665, and not August 7, as heretofore noted in the *Publications*.[101] This correction has been made in the recent article on *The Jews in Surinam*, by Rev. J. S. Roos.[102]

The dominion of the English in Surinam after this grant was, however, quite shortlived. It ceased in about a year after

[100a] See *Appendix* IV.

[101] *Pubs.*, No. 3, p. 147; No. 9, p. 146.

[102] *Pubs.*, No. 13, p. 130. See also copy in *Essai historique*, II.

the Pomeroon colony was destroyed. Byam, in his *Journal,* describes the deplorable condition of his colony for defence at the time of its surrender to the Dutch Admiral Crynssen in 1667, and shows why he was compelled to yield. He also mentions a visit he made to the Dutch Admiral with the view of treating for terms, and says he advanced towards the Admiral's ship with a fleet of small vessels containing Christians and Jews, 168 in number, and that he was well received. Probably Jews predominated, and many of them having come from Holland and the Dutch colony of Pomeroon, Cayenne, and possibly Tobago, the Dutch were inclined to lend a willing ear to their request for favorable terms. Under the capitulation dated March 6, 1667, provision was made for the benefit of the Jews resident in Surinam. A list of the Jewish and Christian inhabitants was also agreed, by the sixteenth clause, to be furnished to the Dutch commander.[103] A copy of this list in all probability exists in the archives at Surinam. In the archives at The Hague it cannot be found. The names of the Jewish inhabitants then in Surinam would probably be substantially the names of the colonists in Pomeroon and Cayenne.[104]

[103] See Byam's *Journal* in *Bijdragen, supra.*

[104] As many of the Jewish planters of Surinam were no doubt partly from the Pomeroon it may be well here to note a map, not dated, discovered by the present writer, containing the name of Jewish owners of plantations in Surinam before 1718. With a few exceptions all the names on this map appear also on two maps of 1750, and later, made by other designers and engravers, a copy of which has been reproduced in the article by Prof. Richard Gottheil, in *Pubs., Am. Jewish Hist. Soc.*, No. 9, pp. 128-133. The map in question is probably a reproduction of a map much earlier in date than 1718, and is to be found in the Lenox Library in a work entitled *Beschryvinge van de Volk-Plantinge Zuriname*, by J. D. HL., Leeuwarden, 1718, XX, 263 pp. It is entitled *Land Kaart van de Land Streeken Cottica, Comowini en Suriname, Alles naukerig afgetekent Door A. Maars.* Starting from the mouth of the Surinam and going south, we find the following

The subsequent changes in the government of Surinam under the treaty of Breda are matters of history and need not be dilated upon here. Surinam became again a recognized Dutch possession, and New York, captured by the English in 1664, was relinquished to England.

Returning again to the colonies in Nova Zeelandia we find that the colony at Essequibo was, after some years, re-established but that few Jews are known to have gone there or to their former location on the Pomeroon. There is, however, a reference to a Jew as travelling in Pomeroon and as having died some months before March, 1684, and as the only one then knowing how to prepare the vanilla bean for trade. This appears in a letter of Abraham Beekman, the Commandeur at Essequibo, addressed to the West India Company, under date of March 31, 1684, reading as follows:[105]

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names in the order given. On the right bank, looking south, occur the names of dePina, d'Ariab, deFonseca, David, Drago, Duivelaar, Marik de Britta, Serfatyn, Nunes de Costa, Parade, Barug de Costa, Joods Doorp en Sinagoge, Nansa, deSilva, Abraham de Pina, Jacques da Costa, Benjamin daCosta, Joseph Nassy, Samuel Nassy. Opposite the Joods Doorp en Sinagoge we find the names Nunes, and Moses I. de Pona. On the Cottica river is found the name of Abraham de Jood. On a branch of the Comowini appears the name of Aron de Silva.

Of these names we find that in the list of some of the members of the Jewish community in Surinam in 1669, mentioned in the *Essai historique*, in the petition for the additional privileges in that year, and in Appendix IV hereto, the following appear in the surname, Nassy, da Costa, deFonseca, Nunes, deSilva, Parada under the name of Pardo and Ariab under the name of Arias. Duivelaar appears later, in 1735, as Davilar. See *Pubs.*, No. 13, p. 132. The appearance of the name "Joods Doorp en Sinagoge" indicates a date after 1685, when the synagogue was built, but the plantations were undoubtedly there before that time.

[105] *Case for Great Britain, supra*, Appendix I, p. 186; *Report, U. S. Com., supra*, Vol. II, pp. 161-162.

The Jew Salomon de la Roche having died some 8 or 9 months ago, the trade in vanilla has come to an end, since no one here knows how to prepare it so as to develop the proper aroma and keep it from spoiling. I have not heard of any this whole year. Little is found here; the most of it is to be had in Pomeroon and Barima, whither this Jew frequently traveled, and he used sometimes to make me a present of a little. In navigating along the river, too, I have sometimes seen some on the trees and picked it with my own hands, and it was prepared by the Jew, although I was never before acquainted with the virtues and value of this fruit, which grows wild and after the fashion of the banana. I have, indeed, sometimes used it in chocolate. The Jew has without my knowledge secretly sent a deal home; however, I shall do my best to obtain for the Company, in Pomeroon or elsewhere, as much as shall be feasible, but I am afraid it will spoil, since I do not know how to prepare it. I shall take care that no private business be carried on it.

To this, a letter of reproof was sent by the West India Company. Under date of August 24, 1684, they wrote:[106]

Concerning the trade to Orinoco, we find it advisable that you stop it, and neither trade thither yourself, nor permit trade thither, directly or indirectly, until further orders; since we are of opinion that the Company bears all the expenses and burdens, and that others help themselves to the profits.

And we hold the same opinion as to the Berbice trade,[107] which we recommended you to carry on for the Company, whereupon you answer us, saying, that this trade has come to an end through the death, 8 months ago, of a Jew named Salomon la Roche, and that he had sent a great deal home, but without your knowledge—truly a meagre and poor excuse. How is it possible that such a thing can occur without your knowledge, and likewise without the knowledge of skipper Isaac Keuvel? That won't do: we are astonished, not only that you venture to write such transparent excuses to your lords and masters, but even more that you are not ashamed of wheedling them with lies, in order quietly to keep this trade for your own private profit—your own and that of the said skipper Steven Keuvel.

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[106] *Report, supra*, Vol. II, p. 168.

[107] Note by Editor: Apparently a clerical error for "the vanilla trade."

Of this we think we are reliably informed; as also that this Jew (whose name is used only as a pretext to mislead) has not monopolized the vanilla, but that the Indians have furnished you with a goodly quantity.[108]

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[108] In 1744 we find a further reference to a Jew in Essequibo named Moses Isaac de Vries. This was in connection with the desertion of a number of slaves, which threatened great danger to the colony. The Commandeur writing about this time to the West India Company, under date of April 3, 1744,[109] spoke of "the Jew Moses Isaacke de Vries" as being in successful command of the Indian forces proceeding against the deserters, and in a further letter dated December 7, 1746,[110] announces the death of de Vries and refers to his good qualities, as follows:

"I have frequently felt the want of a good sworn interpreter of the Indian languages, such as there is in Surinam, and this want has often been to our loss. I have frequently been assisted by the Jew Moses Isackse deVries, but he being now dead there is not a good faithful one to be got, and I am afraid to trust to the negroes or creoles, who say or conceal whatever they wish."

DeVries is also mentioned as having, in the middle of the eighteenth century, attempted a sugar plantation on the Essequibo as far up as the first great rapid, the Aretaka.[111] The statement in regard to this was made in 1764, and is as follows:

"Above the first fall in Essequibo, a Jew named Moses Isaac deVries, who is now dead, some yeârs ago commenced a sugar plantation, and the cane which was grown there called forth the admiration and astonishment of all the inhabitants."[112]

It may be well also to preserve here another name in connection with the Jews in Guiana. Although appearing in connection with Surinam it relates to the region around Essequibo. In the *Report of the U. S. Commission, supra*, pp. 210, 212, are given extracts from a document dated in 1707 relating to a secret expedition from Surinam to the Orinoco in search of a certain treasure. All connected with the expedition were sworn to secrecy, and instructions were issued to give no one any knowledge of it except "Isak Israel Lorenzo, otherwise Isaac the Jew," who was in the service of the Society of Surinam as an interpreter and understood the Carib language.

A further reference to Jews in this region appears in a Spanish document in which the suggestion is made to the Spanish authorities in 1743 to keep in check "the Jews who were swarming

The following is a summary of what has been principally shown herein, not heretofore appearing in relation to the Jews in South America:

1. The establishment in 1658 by the Dutch, probably under an agreement with David Nassy, dated January 25, 1658, of a colony of Jews on the Pomeroon river, in the region of the Essequibo, in British Guiana, then in the possession of the Dutch, and known as Nova Zeelandia, and the development of that colony until January, 1666, when their plantations were destroyed during an incursion by the English from Barbados under Major John Scott. Extracts from the Dutch archives indicating the activity of the Jews in the colony, and appearing here for the first time in print, are appended.

2. An emigration of twenty-five families of Jews from Leghorn, Italy, in the spring of 1658, sent out by Holland under a grant of privileges and immunities to them, to form a colony in the region between Surinam and Cartagena, identified herein as at Pomeroon in the Essequibo district, and the probability of part of them having become dispersed to the islands in the neighborhood; and also further emigrations of Jews from Leghorn to Nova Zeelandia in 1659 and 1660.

3. The identity of the grant of privileges discovered by Mr. Lucien Wolf in the British Museum, in the Egerton MSS., No. 2,395, set out by him in the *Transactions of the Jewish Historical Society of England,* Volume 3, and reprinted in an article by Mr. Max J. Kohler in *Publications of the American Jewish Historical Society,* No. 8, and claimed by Mr. Wolf to be an English grant of 1654 for a Jewish colony in Surinam,

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between the banks of the Amazon and those of the River Oro [noquo]." See *Case for Venezuela,* Reply to British Blue Book Documents and Correspondence, p. 59.

[109] *Case for Geat Britain, supra,* Appendix II, p. 42.

[110] *Ibid.,* p. 48.

[111] *Report, supra,* Vol. I, p. 202.

[112] *Case for Great Britain,* Appendix III, p. 111.

with the Dutch grant to David Nassy, dated January 25, 1658, above referred to, for a Jewish colony in the Essequibo, which settled on the Pomeroon, in what is now British Guiana, then belonging to the Dutch, and for the benefit also of the colonists from Leghorn who probably first went to Tobago before proceeding to the Essequibo region.

4. The genesis of the British grant of privileges to the Jews of Surinam, of August 17, 1665, and that it was modelled, probably at the instance of the Jews, upon the grant discovered by Mr. Wolf, but as a Dutch grant and not as an English grant or draft English grant, as claimed by him, and that in 1669, two years after the capture of Surinam by the Dutch, two of the four further provisions that were added to the British grant of 1665 by the Dutch, at the request of the Jews, were taken from the very grant discovered by Mr. Wolf, indicating that that grant was then known to the Jews of Surinam of whom many had been in the colony at Pomeroon and at Tobago from which they had undoubtedly gone after the capture and destruction of their plantations in 1665-6.

5. Some additional data as to the Jewish colony in Cayenne under the Dutch grant to David Nassy, of September 12, 1659, of which a copy in English is given, and the relation of that colony to the colonies at Pomeroon, Essequibo and Surinam, and reasons for believing that after the capture of Cayenne by the French in 1664 the Jews did not at once go to Surinam, as is generally supposed, but that they went to Pomeroon and Essequibo, and that it was only after their plantations in Pomeroon had been destroyed by the English from Barbados in 1666 that they went to Surinam, which had just previously issued a special invitation to Jews to settle there, granting for the first time in English history full religious liberty and citizenship to them.

APPENDIX.

I.

FROM THE PROCEEDINGS OF THE COMMITTEE GOVERNING FOR THE THREE WALCHEREN CITIES, MIDDELBURG, FLUSHING, AND VERE, THE COLONY OF NOVA-ZEELANDIA, 1658-1663.

(Hague, Rijksarchief, West India Papers, cover-title, *Resolutien rakende de nieuwe Collonie in Isekepe* [Essequibo], *1 Nov. 1657* [-19 Nov. 1663].)

THURSDAY, JANUARY 3, 1658.

There appeared various people of the Hebrew nation requesting to be allowed to ship their baggage to Essequibo. Whereupon it was resolved to answer them that this would be allowed; that every family or individual should hand in a detailed list of their baggage and necessities for agriculture, and according to this to give them passports which would describe the baggage they are allowed to take. This to serve as a memorandum for the skipper and to facilitate the keeping of an account of the costs.

MONDAY, JANUARY 21, 1658.

Read several proposals from members of the Jewish nation. After deliberation, it was resolved to request the members for Flushing to order that the goods and baggage of the emigrating colonists be shipped and also that Jews, as well as Christians, be properly accommodated.

THURSDAY, JANUARY 24, 1658.

CONTRACT MADE WITH THE JEWS REGARDING THE SUPPLYING AND THE PRICE OF SLAVES.

That on the aforesaid coast there shall be delivered as many negroes as every one shall need, which shall be paid for on the production of the receipts, through some one thereunto commissioned, the sum of 150 guilders in ready money for a man or woman; two children from eight to twelve years to be counted as a man or woman; below eight years three for one; unweaned children to follow the mother.

Those paying in advance shall enjoy a discount of ten per cent.

APPENDIX.

I.

(Hague, Rijksarchief, West India Papers, cover-title, *Resolutien rakende de Nieuwe Collonie in Isekepe, 1 Nov. 1657* [-19 Nov. 1663].)

Jovis den 3n. Januario 1658.

Sijn binnen gestaen diveerse vande hebreeuse natie versoeckende te mogen hare bagagie te scheepen naer Isekepe, Waerop goet gevonden is haer te gemoet te voeren om dit met ordere toe te laten dat yder huysgesin offte een ygellijk int particulier sijn bagaige ende behouften tot den landtbouw bij een lijste sal opgeven omme dienvolgende aen haer passeporten te verleennen met insertie vande geconsenteerde bagagie tot der schippers memorie ende naerrichtinge int houden van de rekeninge der costgelden.

Luna den 21n. Ditto.

Gehoort eennige voorstellingen van die van de Joodtsche natie. Is nae deliberatie goet gevonden, d'heeren van Vlissingen te versoecken dat se ordre willen stellen dat de goederen ende bagaige van de overgaende Coloniers worden ingescheept als mede de Jooden beneffens de Christenen wel werden geaccommodeert.

Jovis 24 Januario 1658.

Contract met de Jooden gemaect over de leverantie ende prijs der slaven.

Dat op de voors. cust sullen gelevert werden, soo veel negros als yeder een sal van doenne hebben, ende die alhier op het vertoogh van de recepisse, door iemant daertoe gecommitteert, als dan in contant voldoen werden ter somme van 150 guldens voor een man ofte vrouwe. twee kinderen van 8 tot 12 jaren voor een man ofte vrouwe te rekenen. Beneden de 8 jaren dry voor een, mits sullen de suygelingen de moeder volgen.

Die bij anticipatie willen betalen sullen rabat genieten van 10 p. cto.

To all who have bought for ready money an equal number, if wanted, shall be credited, which credit shall be for the period of five years, within which there shall be paid for each man and woman, or children to be reckoned as above, the sum of f250, but those paying before that period will be given a discount for each year at the rate of ten per cent, but those that have been delivered for ready money shall, with those on credit, be together liable for payment.

FRIDAY, JANUARY 25, 1658.

Engaged to-day in passing ordinances regarding slaves. This relates to the Jews under the contract made with them as well as to other Netherlanders. Among others, closed the contract made between the committee and David Nassy, and one on his order upon the surety of Dr. Paulo Jacomo Pinto, as may be seen in the dispatch book of ordinances relating to slaves.

APRIL 8, 1658.

Paulo Jacomo Pinto delivers a memorandum or list of persons who wish to depart for Essequibo and go on the ship *d'Eendracht*, which list is received to be properly booked.

Francisco Medina appears requesting passports for various persons of the Hebrew nation who wish to go to Essequibo with the above-named ship *d'Eendracht*. After consultation he was told to come to-morrow and that he would be accommodated and the required passports given to him.

TUESDAY, SEPTEMBER 16, 1658.

There also appeared three of the Jewish nation requesting to know the conditions under which they could go to Nova Zeelandia, which were laid before them, and with which they expressed themselves satisfied.

A request of the Jewish nation was read, regarding which Dr. Paulo Jacomo Pinto, together with two others of his nation, appeared. They were told that a ship is at present lying here and if there are any people who feel like departing in it they can do so, and as relates to sending a ship from Salee with folk and provisions they are at liberty to do so, but we are not disposed to restitute anything, and concerning the request the Committee will decide the matter.

Aen een yder die voor contant gecocht heeft, sal des begeerende gelijk getal gecrediteert werden ende sal dat credit duuren *voor den tijt van 5. jaren ende binnen deselve tijt betaelt moeten werden* yder man ende vrouwe ofte kinderen, als vooren te rekenen ter somme van 250 guldens doch eerder betalende sal voor rabat van yder jaer genieten. 10. ten hondert, maer die voor contant gelevert sullen sijn blyven neffens de gecrediteerde t samen voor de betalinge verbonden.

Veneris 25 Januario 1658.

Gevaceert desen dach met het uytgeven van ordonnantein van slaven. Soo aen de jooden op de contracten met haer gemaeckt als andere nederlanders, onder anderen voltrocken het contract tusschen commissarissen ende Dauid Nassy gemaect ende dat op sijn ordere ende onder borchtochte van dr. Paulo Jacomo Pinto, als te sien is in het depesche boeck van ordonnantie der slaven.

den 8en. April 1658.

Paulo Jacomo Pinto levert eene memorie ofte lijste der persoonen die geernne souden vertrecken ende naer Isekepe overvaren met het schip d'eendracht, welcke lijste aengenomen is omme naer behoooren te boecken.

Francisco Medina binnen staende versockt paspoorten voor diverrse persoonen van de hebreeusche natie die gerrnne naer Isekepe souden varen met het bovengenoemde schip d'eendracht, naer omvrage is hen aengeseght dat sij morgen soude commen ende dat men hen accommodeeren ende de versochte passeporten geven sal.

Adi 19 September 1658.

Staen mede binnen drie van de Jootse natie versouckende te weten de conditie om naer Nova Zeelandia te gaen, het welcke haer voorgedragen is, waer in sij contentement nemen.

Is gelesen een req'ste van de Jootse natie waerop is binnen gestaen dr. Paulo Jacommo Pinto mitsgaders twee van hare natie ende is haer voorgedraegen, als dat men hier tegenwoordich een schip is aen leggende ende sooder eennige sijn die nu daermede gelieuen te vertrecken dat se het selue connen doen ende wat aengaet een schip van Salee met volck ende viures te senden, connen het selue vrydoen, maer en sijnnen niet genegen om iets te restitueeren ende belangende de requeste sullen commissarissen daer naer resolueren.

TUESDAY, MARCH 5, 1659.

There appeared Dr. Paulo Jacommo Pinto with five of his nation from Amsterdam and requested to be accommodated with slaves, and that an executive be sent, and thirdly, that a ship may be made ready to transport folk, also with regard to those from Leghorn. Whereupon, after consultation, it was resolved to give the following answer,—that the Committee will notify them in writing later.

MARH 31, 1659.

The minutes were submitted, and the Committee was also authorized to provide Pinto with passports for those from Leghorn, and also regarding slaves.

APRIL 21, 1659.

Paul Jacommo Pinto appeared with several of his nation and requested that the Committee allow a ship to be chartered to carry passengers paying their fare and the freight for their goods.

THURSDAY, MAY 21, 1660.

It is considered by those present whether the Jew named Latorre, who has come from the colony, leaving his wife and children there, shall, together with others of his nation, consisting of 40 souls, including women and children, be permitted to depart from there and return to the Director the slaves received by them, and that they be not required to take more and further that of what they remain indebted one-half be remitted to them and the other half be paid here, for which said Pinto agrees to become surety. With regard to this, a decision was postponed until the arrival of the first letters.

Likewise considered what shall be done in case the Jews arriving at Tobago from Leghorn remain there and refuse the . . . . slaves contracted to be received from us in our colony, to be used there for agricultural purposes. It was resolved if those people do not readily receive the slaves contracted for, that, through Director Goliath, a bill be presented and in case of non-acceptance the same be protested for non-payment instead of making delivery.

Adi 5 Meerte 1659.

Is binnen gestaen dr. Paulo Jacommo Pinto neuens vijff van haere natie van Amsterdam ende versoucken accommodatie van slaven als mede datter een hoofd soude mogen gesonden werden, ten derden datter een schip soude mogen aengelecht werden om volck te transporteren, als mede die van Livorne.

Waerop naer omvrage goet gevonden is haer tot antwoorde te geven het naervolgende dat commissarissen haer naerder per billetten sullen bekent maecken.

31 Maert anno 1659.

De notulen geresummt. ende wert commissarissen geauthorisst. omme Pinto mede paspoorten te geven aen die van Livorne als mede wegens de slaven.

den 21 April anno 1659.

Paul Jacommo Pinto staet binnen met eenige van haere natie ende versouckt dat d'heeren commissarissen souden gelieven een schip aen te leggen om passagiers over te voeren mits betaelende passagie gelt als mede vracht van haere goederen.

Donderdag 21 May 1660.

Wesende in deliberatie gelecht of men den Jode Latorre genaempt uit de colonye afgecomen sijn vrouw met kinderen daer gelaeten, sal op sijn versouch, nevens noch andere van de Natie, bestaende in 40 zielen so als vrouwen ende kinderen van daer laeten vertrecken mitsgaders dat sij hunne ontfangene slaven souden aen der directeur restituteeren ende voorts vant gene bevonden worden als dan schuldich te blijven de helft hun werde geremitteert ende de weder helft hier te lande betaelt, waer voors. Pinto presenteert borge te blyven waerover de resolutie is uit gestelt tot de compste van de eerste brieven.

Van gelijcke wat middel behoorde bij d hant te nemen in cas de joden van Livorne op tobago aengecommen haer daer blyven onthouden hebbende met ons . . . . slaven gecontracteert om in onse colonie te ontfangen, ooch daer tot den bouw vant lant te gebruicken, is geresolveert indien syluyden de contracteerde slaven niet quaemen ontfangen dat door den directeur Goliat sal werden des voorschreve presentatie gedaen ende bij non acceptatie te protesteren van de te houden betalinge gedaen in plaetse van de leveringe.

THURSDAY, MAY 27, 1660.

By Mr. Morthamer were read certain articles, drawn up by don Philipe de Fuentes, for the peopling of the colony of Nova Zeelandia. Their examination was committed to Messrs. Morthamer and Van der Heyden, together with the examination of the articles presented by . . . . in the French language.

THURSDAY, JUNE 10, 1660.

Regarding the articles submitted to the Committee last Thursday by don Philippe de Fuentes, which articles and the answer are here inserted verbatim, it was, after the same were considered, resolved to communicate further with don Philipe de Fuentes regarding the said answer and clauses and to review them with him. Whereupon the said don Philipe de Fuentes appeared and the said considerations and answers being proposed to him in substance, he expressed himself satisfied therewith, and it was ordered to draw up the same and that of Netto and to give said Fuentes a copy, translated, so as to be signed by both sides.

It was also resolved to use this opportunity to send in the ship which Philipe de Fuentes is getting ready, 3000 lbs meat, 3000 lbs lard, with some flour, and 3 vats of oil and a chest of old linnen and some medicines, for the use of the new colony.

AUGUST 20, 1660.

Mr. Nicholas Clement reports that the two deputies from Nova Zeelandia are sent to their principals and are ready to depart with don Philipe de Fuentes' ship. Also that for account of the said colony there are laden in the said ship, 4 hogsheads of oil, 1 firkin lard, 1 ditto meat. With them also are given to the director Aert Adriensen, such letters, as are to be found in the copy book. Besides there is delivered a list by the departing committee mentioning what provisions are greatly needed for a whole year. Wherupon it was resolved to examine the same in order to determine what shall be necessary in order to send along with the ship *Argyn* going thither.

Donderdach den 27 Meij.

Bij dheer Morthamer gelesen seeckere articulen, ingestelt door don Philipe de Fuentes om de Colonie van N(ov)a Zeelandia te gaen bewoonen, tot examinatie desselfs sijn gecommittert dheeren Morthamer ende vander Heijden, als mede tot de exāminatie vande articulen overhandicht bij . . . . in de fransche taele.

Donderdach den 10 Juni 1660.

Op darticulen bij don Philippe dFuentes aen Commissarissen voorleden donderdach overgelevert, welcke articulen ende antwoorde hier van woorde tot woorde geinserreert, waerop gedelibreert sijnde is geresolveert de voors. antwoorde ende clausulen met don Philipe de Fuentes naerder te comuniceeren ende met hem toversien. Waerop den voors. don Philipe de Fuentes is binnen gestaen ende hem de voors. consideratien ende de antwoorde hem in substantie voorgehouden sijnde, heeft bethoont contentement daer mede te nemen ende is geordonneert deselve ende het netto . . . . (sic!) te doen stellen ende om dito Fuentes een copije te geven om die, getranslatteert sijnde, van wedersijden geteekent te worden.

Is bij dese gelegentheit geresolveert, dat in het schip, dat Philipe dFuentes gereet maeckt, ten behoeve vande nieuwe colonie te senden ontrent 3000 lbs. vlees, 3000 lbs. speck met eenige meelen ende 3 vatiens olije met een kiste ouds linwaet ende eenige medicamenten.

August 20, 1660.

De hr. Nicholaes Clem(en)t doet rapp(or)t, dat de 2 geputt'e (?) van Nova Z(eelandi)a sijn gedespecheert naer hun principaelen ende staen te vertrecken met het schip van don Philipe de Fuentes, item dat voor rek(ening)e vande voorschreve Colonie is geladen int gemelte schip: 4 amen olije. 1 verken speck. 1 ditto vlees. Alsmede dat hun sijn mede gegeven aen den directeur Aert Adriensen soodaeninge brieven als inde copiebouck te vinden sijn. Levert bovendien eene lijste bij de vertrockene commissaerissen, gewaecht wat voor provisie sij voor een geheel jaer hooch noodich van doen hebben, waerop is geresolv(eer)t deselve te examineeren om als dan te resolveren wat men dienstich sal oirdeelen om met het schip Argijn dewaerts te vertrecken hun toetesenden.

SEPTEMBER 9, 1660.

There appeared Moses Netto, saying he had received letters from his brother-in-law who, in the name of the Jewish nation, asks whether the Committee is willing to keep up the colony, otherwise they are inclined to depart from there and abandon it.

The burgomaster, in the name and for account of the members from Vere states that through the Committee the work of the colony will be more closely examined from the letters and accounts and written memoranda of matters requiring decision. This work to be undertaken by Mr. de Hase, Van der Poorte, in conjunction with Mr. Mortamer.

THURSDAY, JANUARY 23, 1661.

Report being made that 60,000 to 70,000 pounds of sugar have arrived at Amsterdam for account of . . . . from Nova Zeelandia, considering that Noteboom's owners, not having the freight paid, might go and have the said sugar attached, it was resolved to confer with the said owners and also with the Jews regarding their claims, and to see about agreeing with them and the others as to how much each shall get of the said sugar. This is referred to Mess. van der Heyden and Duvelaer.

THURSDAY, FEBRUARY 3, 1661.

By Mr. van der Heyden it is reported that skipper Noteboom has taken along, in his Brazilian ship *d'Eendracht*, various goods belonging to the Committee. It is resolved to make no absolute payment to his owners before all here receive satisfaction.

MONDAY, MARCH 3, 1663.

There appeared Abraham Levy showing that he received orders and advice from a Jewish broker in Amsterdam named . . . . offering to contract for the furnishing of 500 slaves every six months in the river Essequibo for 100 pieces of eight each, or as many more as may be engaged, payment to be made here and for such number and such period as may be agreed with the others in an offer to be made later on, provided that there are proper vessels ready for convenient transportation of the said slaves to Cartagena or Cape Debero [de Verd], it being understood

Den 9 September anno 1660.

Is binnen gestaen Moses Netto seggende schryven te hebben van sijn swager die uit den naem van de Jootsche Natie versocht op eninge of de commissarissen genegen sijn de hant aende Colonie te houden ofte niet ofte dat andersints genegen sijn van daer te vertrecken ende de Colonie te abandonneren.

d'hr. borgemeester uit den naem ende van wegen de heeren van der Vene * dat door Commissarissen t werck van de Colonie naerder werde geexamineert uit de brieven ende documenten, eennige agenda opt pampier te stellen om naerder te connen resolveren, t welck door de heeren de Hase, van der Poorte, neuens d'heer Mortamer aen nemen te doen.

Donderdach den 27 Januarij 1661.

Gerapporteert werdende datter tot amsterdam 60 a 70,000 lb. wegens suycker gearrveert is voor [requireeren] van nova Zeelandia ende geconsider[eer]t dat de reeders van nooteboom van hare vrachte noch niet voldoen sijnde lichtelijk ditto suyker soude doen arresteren, is gersolveert met de voors. reeders te sprecken, als mede met de joden wegens haere pretencien, ende te sien met deen end'andere t'accorderen hoe voel dat een ider uyt de voors. suycker sullen trecken, daer toe gecommitteert de heeren van der Heyden en Duvelaer.

Donderdach den 3 February 1661.

Door dhr. van der Heyden sijnde gerapporteert dat schipr. noteboom met sijn schip den brasilschen Eendracht dyversche goedern commissarissen toecomende heeft mede genomen, is goet gevonden aen sijne Reeders geen absoluyte betalinge te doen voer aleer hier over contentement ontfangen.

Maendach 12 Meert 1663.

Is binnen gestaen Abraham Levy, vertoonende advies en last te hebben van een joots maeckelaer van Amsterdam met name . . . . presenteert te contracteeren over de leverantie van 500 slaven alle 6 maenden in de river van Isekepe ende dat voor 100 stuck en van achten het stuck, of te soo veel meer als men sal connen bedingen, de betalinge alhier te lande te doen ende dat voor soodanighen getal en soo lang het tijt als men met den anderen overeen sal

* Should be Vere. See *Report, U. S. Com., supra*, II, p. 179, line 1.

that for each head there shall be paid on the clearance four to five pieces of eight or as much more as shall be stipulated. Request was made by all the Committee to confer with his aforesaid principal, whereupon it was resolved to request Messrs. van der Hecke, van der Heyden and Morthamer to act as a Committee therefor, to which Mr. Levy is asked to summon his principal.

FROM THE PROCEEDINGS OF THE ZEELAND CHAMBER OF THE WEST INDIA COMPANY, 1660–1661.

(Hague, Rijksarchief, West India papers, cover-title, *Resolutien van de Camer van Zeelandt, 3 Jan., 1658-31 May, 1663.*)

THURSDAY, JANUARY 15, 1660.

Messrs. Morthamer and van der Heyden were designated to confer with a certain Jew regarding a private trade in slaves, on the same terms as those made in Amsterdam.

THURSDAY, MARCH 18, 1660.

Whereas, Mr. Morthamer reports that some Jews of Antwerp are ready to take away the slaves contracted for, and now at Tobago, which Dingman Cats agreed to bring to Essequibo for the Jews of Leghorn, and as the Director has no provisions for them, and, has, in order to carry out the contract for account of the aforesaid Jews of Leghorn, offered f12,000 to the crew of another slave carrying ship, if [transportation is made] from Tobago to Essequibo, Resolved to provisionally authorize the members of the Committee to draft a contract with the said Jews expressive of the intent and approval of this meeting.

APRIL 22, 1660.

Neeltie de Corte, with two soldiers who have come from the islands of New Zeelandia, asks payment for services rendered to the new colony, as per three accounts handed in, amounting together to £103, 13: 10. Whereupon it was resolved to have the accounts audited and in order to balance the same with what is still to be received from Pinto and others for the said colony the Committee of the city of Middelburg are requested to do their utmost to raise money, either through a bank draft or, upon refusal, to solicit the same from the members for Middelburg.

connen comen met een naerder presentacie soo aldaer bequaem vaerthuygh tot transport van deselve slaven nar Cartagena ofte Caep Debero soude connen werden verstaen dat voor yder hooft op de uitclaeringe soude werden betaelt voor 4 a 5 stuck en van achten ofte soo veel meer als men soude connen bedyngen. Versoeckende op aller commissarissen om met sijn voorn.-meester daer over naerder te confereren, waer op goet gevonden is te versoecken d'heeren van Hecke, van de Heyden, ende Noortamer daer toe te committeren twelck hem Levy alsoo is aengeseght ende versocht sijn meester doer op te ontbieden.

(Hague, Rijksarchief, West India papers, cover-title, *Resolutien van de Camer van Zeelandt 3 Jan. 1658-31 May 1663.*)

Donderdagh den 15 January 1660.

De heeren Morthamer en van der Heyden worden gecommitteert om met seecker jode in conferentie te coomen over particuliere handelinge van slaven, in conformitie op gelijcke conditie als die van Amsterdam gedaen hebben.

Donderdagh den 18 Meert 1660.

Alsoo d'Hr. Moorthamer rapporteert, dat eenige jooden van Antwerpen wel genegen souden zijn aff'e te haelen de slaeven, die Dingman Cats op Ysekebe staet te brengen voor de jooden van Lyvorne—nu op Tobago sijnde, gecontracteert, ende wijle de directeur voor deselve geen vijvres en heeft, presenteerende tot d'equipagie van een ander schip om slaven te haelen f 12 000 om het contract van de boven voors.-jooden van Livorne, indien van Tobago naer Ysekebe . . . . te connen voldoen, is goet gevonden d'H'ren Commissarissen bij provysie te authoriseeren met deselve jooden een contract te consipieren ter intentie ende approbatie van dese vergaderinge.

April 27, 1660.

Neeltie de Corte met 2 soldaeten gecoomen over d'eylenden van Nova Zeelandia versoeckende over gedaene dienst aen de nieuwe colonie volgens drij overgeleeverde reeckeningen saemen monteerende £103, 13: 10, ende haer betaelinge, waerop is geresolveert de reeckeningen te laeten opmaecken ende tgene de gemelde colonie noch te buijten staet van Pinto en andre te ontvangen, werden de commissarissen wegens der stadt Middelburg versocht devoir te doen penninghen machtich te werden, tsij door een bankbriefhen ofte bij refues aen de heeren van Middelburg tselve te soliciteren.

JUNE 17, 1660.

The Nova Zeelandia Committee communicate to this meeting the conditions made with Don Philippe de Fuentes and those also concerning the license for his departure with his own ship and goods and colonists for Nova Zeelandia; which, on behalf of this meeting, are approved and the Committee is authorized to sign the same and are thanked therefor.

THURSDAY, JANUARY 27, 1661.

Mr. van der Heyden reports that he has spoken with Sr. Pinto and other Jews and Sr. Schonck with regard to the care and benefit of the Nova Zeelandia colony and the purchase of a number of slaves upon compliance with certain conditions. He and Mr. Morthamer were authorized to approve a provisional contract with them and to have the same, after having been examined in the meeting, either approved or changed, and that provisionally the presidial chambers be notified in order to receive their approval.

FROM THE PROCEEDINGS OF THE BOARD OF ALDERMEN AND COUNCIL, WET EN RAD, OF MIDDELBURG.

(*Stadsnotulen of besluiten van Wet en Rad van Middelburg*, in Oud-Archief, Gemeente Middelburg.)

FEBRUARY 27, 1659.

By Mr. Burgomaster Westdorp report was made how that Paulo Jacomo Pinto had informed His Honor that several Jewish families were ready to go from Leghorn to Essequibo, if opportunity offered, and that they therefore wish to contract with the Committee in regard to their transportation as well as in regard to the slaves which are to be brought from Guinea and sold in Essequibo to the Jews.

It was decided and resolved not to oppose the slave trade, but yet not to engage the city in it, and on that account to ask the committee to think of another expedient.

JUNE 17, 1660.

Commissarissen van Nova Zeelandia communiceeren dese vergaderinge de conditien met don Philippo de Fuentes gemaeckt, ende dat over de licentie van sijn vertreck met sijn eijgen schip en goed en coloniers naar Nova Zeelandia die van wegen dese vergaderinge werden geapprobeert ende commissarissen geauthorijseert deselve te teijckenen en werden daerover bedanct.

DONDERDACH 27 JANUARI 1661.

De hr. van der Heyden doende rapport dat hy gesproken heeft met Sr. Pinto en andere joden ende Sr. Schonck wegen het bezorgen ende beneficieeren van de colonie van Nova Zeel'a ende handelen van eenige slaven waer van eenige van conditien gedaen sijnde, wert hij neffens d'hr Moortamer geauthoriseert een provisioneele contract met haer te maken om het tselve in de vergaderinge geexamineert synde dat te approbeeren of te veranderinge daer in te maken en dat bij provisie sulen aen de presidiale cameren sal genotificeert werden om haere approbatie te becomen.

(*Stadsnotulen of besluiten van Wet en Rad van Middelburg*, in Oud-Archief, Gemeente Middelburg.)

27 FEBR. 1659.

Door de Heer Burgem'r Westdorp voorgedragen sijnde, Hoe dat Paulo jacomo pinto syn E. hadde bekent gemaeckt dat eenige Joodsche Famillien, wel genegen souden sijn indien daer gelegentheit waere, haer van Livorne te transporteeren naer Ysiquebe, derhalven wel soude begeeren met de Heeren Commissarissen over het transporteeren der selfde, alsmede over slaven die uijt Guinea souden werden gehaelt en tot Ysiquebe aen de Joden vercoght, te contracteeren is goetgevonden ende geresolveert den slavenhandel niet tegen te gaen, maer noghtans de Stadt daerinne niet te engageren, ende dienhalven d'Heeren Commissarissen te versoucken op een ander expedient te willen dencken.

II.

GRANT OF PRIVILEGES TO THE JEWS. IN EGERTON MS., No. 2,395, FOL. 46, IN BRITISH MUSEUM.*

Privileges Granted To the People of the Hebrew Nation That Are to Goe to the Wilde Cust.

1. That thei shall have Libertie of Conscience with exercise of their laws and writes and ceremonies according to the doctrine of their Ancients without anny Prohibition, and that they shall have a place apointed for the Building of their Sinagoga or Sinagogas and Schooles, as allso sutch ground as thei shall make choice for their Burring in a separattes places according to their fashion, all according to the use and Fashion thei doe Possesse in Amsterdam.

2. That on the day of their Sabbath and the Rest of their festivicall dayes thei shall not be obliged to apeare in the court upon anny sutte at lawe or cause, and that what deligence or Acts that shall bee made against them or Past, on the said dayes shall bee given voide, and without force, and thei shall be excused of going to the Garde, except if (which God forbid) should bee urgent necessitie.

3. That all The Hebrews shall bee admitted for Burgezes as The People of the Province of Zeeland that shall live in the said Corte and that they shall with them enjoy, all the Previledges which thei shall enjoy.

4. That thei may make choice among themselves of sutch number of Persons as thei shall think convenient to Governe their Sinagogues, and to Administave the Causes of their nation, butt it is to bee understood that the execution shall be made of the officers of the Justice.

5. An whereas the intension of the said Hebrews is to Preserve themselves Peasibly, it shall be granted to them that if their should be among them anny Person or Persons of badd Proceedings and that should give them anny scandall, giving his or their names to the governour or to the justice whom it shall apartaine, with knowledgement of the cause, shall imburgue sutch Person or Persons for those Provinces, or for sutch Place as the Deputies of the said nation shall apointe.

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* This grant was discovered by Mr. Lucien Wolf, of London, and is reprinted from the copy first published by him in *Transactions of the Jewish Historical Society of England*, III, pp. 82-84.

6. That at all the generall meetings concerning the generall and comerse the said Lords commissiones shall be pleased to order that 2 of the Hebrews be called to Represent the body of their Nation that with the rest of the Burges, thei may allsoe serve the Rublick with their advise.

7. Granting to anny Persons of anny Nation anny Previlledges the Hebrews shall enjoy them allsoe

8. That what constitutions and Customes that the Hebrew nation shall make among themselves, them that shall goe to live there, of their nation, shall be oblidged to observe them.

9. That not one may be opressed nor putt to Lawe for debts caused in Brazil or in other Kingdomes and States, except for them that shall bee caused in the said Provinces or on the said Cust.

10. That sutch as shall bee willing to goe shall have free Passage, as well in the States ships as in them that shall be fraighted for the Purpose, with their Bagage and their Provisions, as allsoe of their matterialls for their land and building of a house for his famillie and thei all shall carrie sword and moskett.

11. That as soone as anny bee aRived at the said Cust shall appeare beefore the Governour or Commissioner, whome shall apoint each one soe mutch Land as thei cann Command and Purchase.

12. That each one shall Possesse as their owne the lands which shall bee appointed and given to them, and that thei may dispose of them that shall succede them, for ever, as well by will as by contract, or obligation, or other wayes, in the same manner as each one may dispose of their owne goods in those Parts.

13. That every one shall have Libertie to goe hunting and fishing each one in their Lands and Rivers, for even as allsoe in the Mountains that are not subjected and in woods and open sea.

14. That every one shall bee, for the time of Seaven yeares, free from all taxes, and customes, and duties, or anny other charges that cann bee named, hee that shall make a Plantation of Sugar with 50 negroes shall enjoy 12 years of the same Libertie, hee that shall make a Plantation of Oxen, with 30 negroes, 9 yeares, and if it be less—accordingly, butt after the said time thei shall Pay the tenth of thei fruttes.

15. Each one shall injoy for the time of five years the same Liberties of the Mines of Gould and Silver and Precious Stones allsoe of the fishing of perles and Corall, butt after the 3rd yeares —thei shall Pay the fift Parte of what thei shall gett, or the

Pallen of it, at allsoe it shall bee Lawfull to Trade with the Indians.

16. That each one may freely goe with anny ships as well Their owne as fraighted from those Parts with sutch goods as thei shall thinke good, as allso to the Cust of Guiny to Transport negroes to the said Coste, and transport them where thei shall think fit.

17. That each one shall be provided of the wherehouse (which shall bee lett at the said Cust) in the first six months of all Provisions, Clothes and instruments for their lands, at a Rasconable Ratte and thei shall make the Paiment of the first fruttes of the Coutrii.—

18. Also it is Granted to anny Person to have there in their service all kinds of shipping which thei shall neede.

A Rulle In What Manner and Condition That the Negroes Shall Bee Delivered in the Wilde Cust.

1. That there shall bee delivered in the said Cust soe many negroes as each shall have occasion for, The which shall be Paide heere shewing the Receipt, in ready money at one hundred and fifty guilders for each man or whoman.

2. Children from eight to twelve years thei shall counte, two for one piece, under the eight yeares three for one the breeding goeth with the mothers.

3. Hee that shall advance the Paiment before the Reeceipt comes shall enjoy the discounnte of Tenn £Cent.

4. To all them that shall Paye and buy for Ready mony if thei will thei shall have sutch number of negroes. Trusted to pay within five years and after them shall Pay for each man, whoman or child as above the sume of two hundred and fifty and he that shall advanse the Paiment shall have discount of Tean Per Cent a yeare and them that shall buy for ready money shall bee ingaged for the Paiment of the others.

III.

GRANT OF PRIVILEGES BY THE GOVERNOR, COUNCIL, AND ASSEMBLY OF SURINAM, TO THE JEWS IN SURINAM, DATED AUGUST 17, 1665.*

Whereas it is good and sound policy to encourage as much as possible whatever may tend to the increase of a new colony, and to invite persons of whatsoever country and religion, to come and reside here and traffic with us: and whereas we have found that the Hebrew nation, now already resident here, have, with their persons and property, proved themselves useful and beneficial to this colony; and being desirous further to encourage them to continue their residence and trade here: we have, with the authority of the governor, his council, and assembly, passed the following act:—

Every person belonging to the Hebrew nation now resident here, or who may hereafter come to reside and trade here, or in any place or district within the limits of this colony, shall possess and enjoy every privilege and liberty possessed by and granted to the citizens and inhabitants of this colony, and shall be considered as English-born; and they and their heirs shall in this manner possess their property, whether real or personal.

It is also hereby declared, that they shall not be compelled to serve any public office in this colony, and that we receive them under the protection and safeguard of our government, with all the property they now hold, or shall hereafter possess or import from any foreign place or kingdom abroad. We also grant them every privilege and liberty which we ourselves enjoy, whether derived from laws, acts, or customs, either regarding our lands, our persons, or other property, promising them that nothing of what they now possess, or shall hereafter acquire, shall be taken from them or be appropriated among ourselves, by any person of whatsoever rank: but that, on the contrary, they shall have full liberty to plant, trade, and do whatsoever they may consider conducive to their advantage, and profit, on condition that they shall be true subjects of our Sovereign Lord the King

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* Reprinted from E. H. Lindo's *History of the Jews in Spain and Portugal*, London, 1848, pp. 381-383. The date of the grant is corrected according to the copy in Dutch in the *Essai historique sur la Colonie de Surinam*, etc., Paramaribo, 1788, and *Pubs., Am. Jewish Hist. Soc.*, No. 13, p. 130.

of England, and shall obey all orders already issued by him, or which he may hereafter promulgate. It is, however, to be well understood, that none of these orders shall be contrary to what is herein contained.

It is also hereby granted and permitted, in the most ample manner possible, to the Hebrew nation, to practice and perform all ceremonies and customs of their religion, according to their usages; also those relating to their marriages and last wills or testaments; and that the acts of marriage made according to their rites and customs shall be held valid in every respect. It is also hereby declared that they shall not suffer any let or hindrance in the observance of their sabbath or festivals, and those who shall trouble them on that account shall be considered disturbers of the public peace, and shall be punished accordingly. Also that they shall not be bound to appear, on the said days, before any court or magistrate; and that all summonses and citations for the said days shall be null and void. Neither shall their refusal of payment of any claim made against them on these days prejudice them in any way, or diminish any right they may have.

The possession of ten acres of land at Thoxarica is also hereby granted to them, that they may build thereon places of worship and schools; also for the burial of their dead. They shall, moreover, not be compelled to do personal duty, but shall be permitted to send a substitute, except in case of war, when they also shall be bound to come forward with the other inhabitants. Permission is also hereby granted them to have a tribunal of their own; and that in cases so litigated, the deputies of their nation may pronounce sentence in all cases not exceeding the value of ten thousand pounds of sugar. Upon which sentence, pronounced by the said deputies, the judge of our court shall grant execution to issue; and they shall keep registers and records of the same according to custom. When an oath shall be required, it shall be administered in conformity with the customs of the Hebrew nation, and such oath shall be deemed valid, and have all the force and effect of a judicial oath, notwithstanding any law to the contrary.

That all this may be fully known, I have, by order of his excellency the governor, his council and assembly, signed the present on the seventeenth of August, 1665.

(Signed) JOHN PARRY, Secretary.

IV.

PETITION FOR AND GRANT OF ADDITIONAL PRIVILEGES TO THE JEWS OF SURINAM, DATED PARAMARIBO, OCTOBER 1, 1669.*

To His Excellency, Philippe Julius Lichtenberg, Sovereign of the Provinces, Rivers, and Districts of Surinam.

With due reverence, the Jewish nation residing here in Surinam show how that at the time of the English government, by a special Act in our favor granted by the Governor, his Council and Assembly on August 17th, 1665, we enjoyed, without molestation, certain privileges, more fully specified and mentioned in the Act set out below, by virtue of which and without the least infraction thereof we resided continuously under the aforesaid government, secure in our persons and possessions, and also how that owing to the manifold troubles that occurred during the last two years we have hitherto had no opportunity to petition the Governor for the time being about the same, and that we are being daily requested in letters received from various quarters from many of our nation who are inclined to come to settle here to inform them of our status here and how we are treated here; and desiring moreover for ourselves and our descendants, our people and our property, further favorable privileges which we look forward to have secured to us through your Lordship by a special Act of the Noble and Mighty Lords of the States of Zeeland, as was heretofore done by the English government;

We therefore humbly request your Excellency to take into consideration this our petition of the . . . . and several other small points tending to nobody's prejudice but only to the maintenance of peace and quiet, and to propose the same, with your Lordship's favorable intercession, to Their Noble and Mighty Lordships, and to explain the same to them in a detailed document relating thereto and confirmed with your hand and seal, and that in the meantime, while you are awaiting the decision of Their Noble and Mighty Lordships, we may be provisionally allowed, by a gracious note, under your hand and seal, to enjoy the benefit of the said privileges hereunder specified:

This done, we remain dutifully Their Noble Lordships obedient subjects and your Excellency's humble servants.

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* Translated from the Dutch in *Essai historique sur la Colonie de Surinam*, &c., Paramaribo, 1788, II, pp. 131 *et seq.*

(Here follows a copy of the Surinam Grant of August 17, 1665.*)

Additional points that we ask:

1. That all church matters which shall be ordered by persons elected from among them for the preservation of unity among them shall be effective, and that those who fail to obey the same shall be complained of to the Governor in order to be punished.

2. In case it should happen that among them there shall be found a person or persons leading an evil life, from which it may be feared that at some time or another, they may fall into the hands of justice and thus cause a scandal to the nation, then the Governor, on complaint being made to him against such person or perons by the deputies of the nation giving sufficient reasons, shall, in order that there may be no difficulty in preventing a scandal to the nation, require the said person or persons to leave the colony.

3. In case some of the nation should come to settle here, whose property has been confiscated, perhaps through the inquisition or otherwise, so that they have thereby fallen into debt, they shall not be unexpectedly seized for the debt but shall be conveniened by the department of justice, according to the custom in all the colonies, and only obliged to pay something now and then so that they may be able to exist in the meantime.

4. That we may be permitted on Sunday, on which we as well as our slaves are allowed to work, to have the privilege to visit each other, and that the Marshall meeting us while on the river for that purpose and finding us laden with goods which would lead to the presumption that work was being done, shall be obliged to let us pass and repass unmolested.

That all the above mentioned may in good faith be confirmed to the nation. And if in the future it should appear desirable, for the benefit and advantage of the nation, that the same be annulled, that a request therefor in due form, with good reasons, be granted.

(Subscribed)

David Nassy, Isaak Pareyra, Isaac Arrias, Henrique de Caseres, Raphael Aboab, Samuel Nassy, Isaac R. de Prado, Aron de Silva, Alans d'Fonseca, Isaak Mezo, Daniel Messiach, Jacob Nunes, Isaac Gabay Cid, Isaak da Costa, Isaac Drago, Bento da Costa.

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* See *Appendix* III.

In view of the request of the Jewish nation, I provisionally accord to them by this the enjoyment of all that they ask therein and I will on the first occasion, so far as lies in my power, try to persuade Their Noble and Mighty Lordships to pass an Act to that effect, confirmed by their hands and seals, so that the same may thus be assured.

Done at Paramaribo, October 1, 1669.

(Signed) J. LICHTENBERG, with his seal affixed.

Conformed, after collation, with the authentic copy shown me, and registered May 28, 1734.

To which I certify,

(Signed) ABRAHAM BOLS, Secretary.

V.

GRANT BY THE DUTCH WEST INDIA COMPANY (AMSTERDAM CHAMBER) TO DAVID NASSY AND PARTNERS FOR A JEWISH COLONY AT CAYENNE, DATED SEPTEMBER 12, 1659.*

Liberty and Exemptions by which the Council of Nineteen and the Shareholders of the Chartered West India Company agree and settle with David Nassy and his Partners, as Patroon and Patroons of a Colony to be established by them on the Island of Cayenne, or other Places on the Wild Coast of the West Indies:

1. The aforesaid David Nassy and his Partners are permitted to establish a Colony to the extent of four or five miles of land on the Island or Rivers of Cayenne, consisting of so much land as can be cultivated by the Colonists, provided they do not extend so far from the Colony of Cayenne as to interfere with the other settlers; and they shall be bound to settle in the aforesaid colony within the period of four years, commencing not later than the first of September, 1660, on pain that if after the said period they

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* Reprinted from *Annals of Guiana*, by James Rodway and Thomas Watt, Georgetown, Demerara, 1888, I, pp. 145 *et seq.* Translated from the Dutch in Jan Jacob Hartsinck's *Beschryving van Guiana*, Amsterdam, 1770, Part 2, pp. 940 *et seq.; Essai historique sur la Colonie de Surinam*, Paramaribo, 1788, II, pp. 113-122; H. J. Koenen, *Geschiedenis der Joden in Nederland*, Utrecht, 1843, pp. 460-466, and other works.

should fail to do so, all the uncultivated, uninhabited, or unoccupied lands shall revert to the Company, to be disposed of as they shall think fit.

2. The said David Nassy and his Partners shall be allowed Jurisdiction over the Bays which may be found in the Colony which is to be established and to half of the rivers situated at either side of the said Colony, of which assignation will be made hereafter, always provided that the Company reserve to themselves or their assigns, the right of free navigation and trade in those Bays and up and down the said rivers.

3. The said David Nassy and his Partners shall be granted free and assured possession of that part of the aforesaid Colony, with it belongings and dependencies, that may be colonized, governed, worked, assigned, and cultivated within the period of four years, of which they may dispose by testament, contract, engagement or otherwise, so that they may be free to dispose of their property at their own pleasure, provided that nothing in the testament or contract shall be held binding if the Colony should be cut off from these States and this Company and captured by another nation.

4. The said Colony shall be allowed to establish high, middle and low jurisdiction, which shall be carried out in accordance with Article XIV.

5. The aforesaid Colony shall be held by the said David Nassy in manner of a fief, and to provide for the security thereof, one or more responsible persons shall be provided, on whom the fief may be conferred, on payment of certain manorial fees to the amount of 60 guilders.

6. The Sovereignty and Supreme Control, and everything connected therewith, are reserved to their High Mightinesses and the Company as far as the Company are qualified thereto under their Charter.

7. It shall be permitted to the Jews to have freedom of conscience with public worship, and a synagogue and school, in the same manner as is allowed in the City of Amsterdam, in accordance with the doctrines of their elders, without hindrance as well in the district of this Colony, as in other places of our Dominions, and that they shall enjoy all Liberties and Exemptions of our other colonists as long as they remain there; but the aforesaid Patroon and his partners shall be bound to preserve the said freedom of conscience to all the other colonists of any nation whatever, and that with the worship and public rites of the

Reformed Religion, or any other that may happen to be in the country.

8. The Company grants to the before-named David Nassy and his partners, freedom of tithes (tenths) for the period of twenty years, in which privileges he may allow his Colonists to participate for as many years as he shall consider advisable, also freedom of head tax and other duties, any of which may be received from the expiration of the tenth year until the twentieth, shall be applied to defray the expenses of public works and fortifications, and at the expiration of the twentieth year this and all other tenths and head taxes shall devolve on the Company.

9. If any of these Colonists, or any other persons shall discover any mines of gold, silver, precious stones, marble, saltpetre, or pearl fisheries of any nature whatever, they shall be considered as the property of the Colonists for the period of ten years without charge, after which time a tax of a tenth part of the net proceeds shall be paid to the Company.

10. The Colonists shall be exempted for the period of ten successive years from all the Company's taxes on materials exported for agricultural purposes, working of minerals and provisions, for the erection of houses, logies, fisheries, and the like articles of necessity appertaining thereto.

11. During the term of five years these persons shall be free from the Company's taxes on gums, dyes, balsams, plants, and other merchandize found in the Colony, or raised by their industry, which shall be imported into this Country from that land, after which time the same duties shall be claimed as are paid by the other settlers on the possessions of the Company.

12. The Colonists will be permitted to transport their goods from this land by their own ships, as well as by the Company's vessels if any should be available, but they shall be bound to give an exact account of the size, number of men, equipment, and lading of these vessels, either here or at any place where there is a Chamber of the Company, also before sailing to provide themselves with a Commission from the Company, in conformity with the custom of all others within the limits of the Company's charter. Permission is fully granted that they may keep for their own trade what vessels they shall consider necessary.

13. The Colonists shall be permitted for the benefit of the Colony, all the rights of establishing fisheries for the drying and salting of fish of all descriptions, and shall be allowed for the period of twenty years to transport the same to the West India

Islands, Spain, the Straits and elsewhere, provided they do not under that pretense carry away any minerals, plants or anything prohibited, on pain of the exporters forfeiting for the benefit of the Company whatever goods may be found besides those that are prohibited.

14. The Company shall appoint in the aforesaid Colony a "Schout," for the maintenance of Justice and Police, provided the state of the Colony be such as shall justify the appointment of a Governing Council in which case the patroon or patroons shall nominate two of the most able persons living in the Colony being Dutch Christians of the Reformed Religion, through whom the Schout, as representative of the Company, may have supreme control in the country.

15. All the affairs, differences and litigations shall be decided by the aforesaid rulers and the sentences executed, provided the sentence shall not exceed the sum of five hundred guilders. In case this sum should be exceeded appeal may be made to such Courts as their High Mightinesses and the Company may commission for the purpose.

16. The aforenamed Colonists shall be allowed all the privileges of trading for slaves as may be hereafter decided by the Council of Nineteen. This accommodation to be the same as that allowed to the Colony of Essequibo under the Chamber of Zeeland.

17. They shall also be provided by the Company with such numbers of slaves as may be required from time to time, in accordance with the orders and regulations made or to be made by the Council of Nineteen, but all the slaves which may be captured at sea by the Colonists shall be allowed to be brought to the Colony for further transportation on payment of a tax to the Company at the rate of ten guilders for each slave, with the understanding that a fourth part of the slaves thus captured shall remain in that country for the benefit of the Colony on the Wild Coast.

18. After the expiration of the first ten years the Company shall be entitled to there appoint a receiver of the Company's taxes which the chiefs and rulers of the Colony shall help in maintaining to the furtherance of the Company's authority.

This done and enacted by the Shareholders of the Chamber of Amsterdam on the 12th of September, 1659.

NOTES.

Jews of Georgia.

Since the letter was published in Vol. 13 of "Publications," in the course of my paper on "Phases in the History of Religious Liberty in America," pp. 29-30, signed "A Real Citizen," taken from the issue of January 13th, 1785, of the "Georgia Gazette," Mr. Edmund H. Abrahams, of Savannah, Georgia, has kindly forwarded to me for examination the original draft of this letter, which is in his possession. The letter in question, in vindication of the Jews of Georgia, of our Revolutionary period, is in the handwriting, and was composed by, Mr. Mordecai Sheftall, of Georgia, in 1785. A typographical error on page 23 of Vol. 13 incorrectly describes the pamphlet, answered by Mr. Sheftall in 1785, as issued in 1874, instead of 1784. M. J. K.

Benjamin Levy.

In an interesting letter contributed by Mr. Matthias Levy to the issue dated July 31st, 1903, of the "Jewish Chronicle" of London on "Benjamin Levy—A Question in Anglo-Jewish History," the writer refers to some incidents in Benjamin Levy's career which are of interest to students of American Jewish history. He points out that the surrender of right of Government to the Crown covering what is now known as New Jersey, dated April 15, 1702, was signed for the Western Division of Jersey by 32 proprietors, the twelfth being Benjamin Levy. The original document is in the record office, and the reference is S. P. O., B. T. New Jersey, Vol. I, A1. It has been printed in Smith's "History of New Jersey" on page 211. In the New Jersey Archives, Vol. 4, pp. 344-45, mention is made of one Moses Levy. The same writer points out that in Vol. 5 of our "Publications" in "Notes on the First Settlement of Jews in Pennsylvania 1655-1703" (p. 198), there is a reference to "Benjamin Levy, a Jew here (in New Jersey) in 1702." The writer seeks to identify this American settler, with an important and influential member of the London Jewish community. M. J. K.

"Abraham della Palpa."

Dr. Max Grünwald, of Vienna, kindly calls attention to a reference to an American Jew in the writings of Wieland, the famous German writer. In his "Anmerkungen zum Sendschreiben an einem jungen Dichter" (Sämtl. Werke, Leips. 839/90, Bd. 33, 419), Wieland writes: "The Portuguese Jew, Abraham della Palpa died sometime ago on his estate near Charleston in the 140th year of his age, and left an estate of £300,000 to philanthropic purposes without regard to differences of religion or sect." Corroboration of this item is lacking.

Jews of Surinam.

Rev. P. A. Helfman, of Paramaribo, Surinam, submits the following annotations upon the communications from his colleague, Rev. J. S. Roos, published in Vol. 13. Referring to the item on p. 130, reading: "There are still some tombstones with illegible Hebrew inscriptions" near the first synagogue, built in 1672 in Thorarica, Surinam, Rev. P. A. Helfman remarks that "A place containing the oldest cemetery of the Portuguese community out here in which there are over 400 tombstones still to be found is not adequately described by a reference, to 'some tombstones.' I hope, ere long to forward to you several of the oldest inscriptions which I found on them."

As to the remark in Rev. Roos' second communication, paragraph 20 (p. 135) as to the "Recueil der Privilegien vergunt ook die van de Portugeesche Joodsche Notie in de Colonie van Surinam." "Suriname, MDXLVI," which Mr. Roos says, "seems to be transposed for MDLXVI, as the two last privileges of the MS. are dated 1747 and 1754," Rev. Mr. Hilfman remarks: "I think that this supposition is not quite correct, and for the very reason that I have before me two official copies of those privileges, one dated PARAMARIBO MAY 13th 1746 (in Arabik characters) and the other SURINAME MDCCXLVI. With the first reversion or transposition is of course out of the question and nothing of posterior date can be found in same, in the second there are indeed some of posterior dates, but these are not so much privileges. The former contain confirmation of those privileges, written by the principal Board in the Netherlands to the Governor of Surinam, and the latter documents are letters of H. R. H., the Princess Anna to the Board of the Community.

"But be it as it may, these have been inserted afterwards by a succeeding copyist. They have no heading either in the (second) copy which now lies before me, which all the others have, and they have not been taken up in the list of contents belonging to the recueil.

"I forward herewith true copies of the documents which appear in the recueil of privileges after 1746 besides a copy of letter from the Governor V. SCHARPHUISEN to the vestry, by which the community received land to build thereon its (second) synagogue."

The Will of David Franks.

It appears that David Franks, the father of the celebrated Rebecca Franks went to England after the American Revolution and may have remained there until his death. His American possessions, however, seem to have been considerable, even though he resided abroad. The following is an abstract of his will:

"David Franks formerly of Philadelphia, in North America, but now of Isleworth, County Middlesex, gentleman. Will 30 July, 1785 proved 22 July, 1794.

"A sufficient portion of my estate to be sold to discharge my funeral expenses and debts. As I conceive my lands situate in Pennsylvania, Virginia, Indiana and in the Illinois Country, and elsewhere, are sufficient to pay more than I owe, I give to my son Jacob Franks 800 acres of any lands I own, and I give my son Jacob this preference to the rest of my children as some atonement for his and wife's very kind attention to me. The rest, real as well as personal, among my four children Abigail Hamilton, the said Jacob Franks, Moses Franks and Rebecca Johnson as tenants in common. Executors: either jointly or separately, my two sons Jacob and Moses and Mr. Tench Coxe of Philadelphia. Witnesses: Wm. Bradford, James Porney." Hohman 366.

(Pennsylvania Gleanings in England by Lothrop Withington, in The Pennsylvania Magazine of History and Biography. July 1905. Vol. 29, p. 315.) Leon Hühner.

Two Letters Relating to Haym Salomon.

Among the Madison MSS. at the Lenox Library, New York, are two interesting letters, hitherto unpublished, written by Haym

M. Salomon, a son of the Revolutionary patriot, to James Madison. They are as follows:

NEW YORK, 9 Jan'y 1827.

Hon. James Madison,

MY DEAR SIR:

I avail myself of the introduction of a mutual friend (and one who has been joined with me and others in promoting the views of your political cabinet and that of your predecessor) to ask you for such information respecting some of the european individuals who were engaged in various situations in promoting the object of the revolution from 1780 to 84 as I have mentioned below.

My father Haym Salomon was a native of Poland (a countryman and friend of count Pulaski) he died in Philadelª about the end of 1784, left no relations in this country, myself not quite a month old, a brother about 5 years old, a young widow, entirely unacquainted with his affairs who with my brother also some time since departed this life.—

Some gentlemen in Philadelª (he my father dying without a will) took his affairs into their keeping from whom we never obtained anything previous to their bankruptcy and death.—On a late visit to Philadelphia a person handed to me a few papers and memorandums said to have been left by my fathers cheif clerck who had shot himsélf about the time of the death of Mr. Swanick.—These papers are a quantity of drafts drawn by my father on the bank of N. A. also his bank book shewing that those drafts had been duly paid to the individuals to whom they are payable—The amoᵗ seems considerable and the names of the individuals are—

Monsieur Roquerbrune
Monsieur De La Foirey
Chevalier De La Luzern
Don Franciscos De Rendon.
also Barbie de Marbois.

I was informed you were well acquainted at that time with what the objects of those foreigners were in Phila. and that perhaps you might also have known my father and could give me some intelligence of what the relative situation was which these individuals stood to him and our govt.—It appears that notwithstanding those sums to these individuals he had occasionally large balances in speicie in the bank tho not at the time of his death.

It had been reported to me that before my father left the City of N. York 1778 he had undertaken for Congress or some of the generals the accomplishment of some important enterprise.— That it was disc[d] by the british general Clinton, he was committed for it and sentenced to military death from which he only escaped by the sacrifice of a large sum in gold and arrived safely in Phila. a few days afterwards where he remained till his death which was about 18 months after the peace.

I will feel extremely gratefull for any particulars of this or any other circumstance which may have come to your knowledge regarding him.

I trust my dear sir when you see the object of this that you will excuse this intrusion upon the sanctity of your retirement.

And will accept my gratefull
acknowledgements &c., &c.,
HAYM M. SALOMON
38 Pine Street.

NEW YORK, October 18th, 1827.

MOST RESPECTED SIR:

Since I had the honour of your kind reply to my enquieries respecting your acquaintance with my father, I have found other papers which shew that Mons Roquerbrune was the paymaster or treasurer for the Auxillary army of Rochambaud. But am yet in the dark as to the acct of which Govt. it was advanced.

Agreably to your suggestion I applied to the oldest officer (Mr. Nourse) at the Treasury Department. he wrote me that the "enemy" in the last war destroyed all the archives for that period. Such it appears was the mild operation of the Vandals in 1814 at the Seat of Govt. of the American Republic.

While on the subject of that disgraceful period to the clintonian politicians of that day, Permit me to take the liberty as one of the corresponding members of our present Democratic "General Committee" to inform you that we find the same man now in our State combining again with other desperate people to force on us a military man solely for those qualities. Our "General Committee" is now 3 from each ward 42 in all. It was here that their project first burst forth. Twenty-one of them made their Declaration. I had the honour of being the first to resist it and drew up on the part of our minority now thirteen in all, the inclosed protest (being an uncorrected proof) since which I had

with others the sattisfaction of hearing that, Cincinnattus like, you had when our country was endangered stepped forward for the moment to raise your pen in defence of the endangered state of our dear Country. Your old enemies or rather those of our Democratic institutions are denying the Statement and they say that you have declared in favour of the military gladiator.

It would my dear and venerated Sir, be of use to the friends of our endanger'd Republic to know this fact. Could you be prevaled upon to conquer that almost invincible determination (as I have been informed) of not mixing at all in this most momentious question—to a people whom you must be sensible are even grateful for your past services and say if those enemies of our nations prosperity are correct or not.

I am at a loss for an apology to you for pressing such a matter on your notice but nothing but the crisis to which we have arrived would have given courage on this subject to

your most obliged
and most grateful
Humble Servt
HAYM M. SALOMON.

His Excellency
James Madison
Late President &c.

Attached to the letter is the printed Clipping referred to therein.

LEON HÜHNER.

NECROLOGY.

Moses Aaron Dropsie.

Moses Aaron Dropsie, lawyer and philanthropist, was born in Philadelphia March 9, 1821, and died there July 8, 1905. He was of Dutch descent, his parents having emigrated from Holland in the early part of the last century.

He was educated in the private schools of the city, and in 1837 was apprenticed to a watch-maker. He subsequently went into the jewelry business, reading law in the meantime, and finally entered regularly into the study of his profession under Benjamin Harris Brewster, later the attorney-general of the United States.

Mr. Dropsie was admitted to the bar in Philadelphia in 1851, and on April 16th, 1856, was admitted to practice before the Supreme Court of the United States. Shortly after his admission to the bar, he took an active interest in political affairs and was the candidate of the Whig party for mayor of the Northern Liberties District of Philadelphia, in 1852, and like most members of that party was strongly opposed to slavery.

He was instrumental in the development of the street railway system of Philadelphia. He was president of the Lombard and South Street Passenger Railroad from 1868 to 1882. In 1889 he became president of the Green and Coates Street Passenger Railroad, which position he held until his death.

In 1870 he became chairman of the commission appointed by the legislature for the construction of a bridge across the Schuylkill River at South Street.

He took a deep interest in Jewish charitable and educational work. He was a director of the Hebrew Fuel Society, a member of the Board of Adjunta of the Sephardic Congre-

gation Mickve Israel, and was one of the charter members, and for more than fifty years an officer of the Hebrew Education Society, having acted as secretary, vice-president, and twice as president; he was the first honorary life member of the Board of Officers of the Society.

He was president of the Maimonides College from 1867 to 1873, president of the Philadelphia branch of the Alliance Israélite Universelle, from 1883, and president of the Gratz College from 1893, holding both of these offices at the time of his death.

From 1856 to 1861 he was president of the Mercantile Club. Owing to his failing eyesight he retired from the practice of law in 1885.

He translated and edited Mackeldey's "Handbook of the Roman Law" (1883) and in 1892 published a separate work on the "Roman Law of Testaments,"—Codicils and Gifts in the Event of Death (Mortis Causa Donationes).

He wrote a "Panegyric on the Life of Isaac Leeser," "The Life of Jesus from and including the accusation until the alleged resurrection, with an account of the cross, crown of thorns, etc.," and also "Deform Judaism and the Study of the Hebrew." Twenty-five volumes of the Jewish Occident were published during the life of the Reverend Isaac Leeser; at his death Mr. Dropsie volunteered to make good any deficit which might be incurred if the publication were continued.

He was preceptor to but few students, but those he instructed became eminent members of the bar.

Mr. Dropsie bequeathed the bulk of his estate, amounting to nearly one million dollars, for the foundation of a college to be devoted to "the study in its most complete form of the Bible and the whole Jewish literature." He directed "that there be established and maintained in the city of Philadelphia a college for the promotion of and instruction in the Hebrew and cognate languages and their respective litera-

tures and in the Rabinical learnings and literature." "The branch of knowledge I desire to cultivate is not readily accessible in general institutions of learning, and it appears to me of great usefulness to the general community. I direct that in the admission of students there shall be no distinction on account of creed, color, or sex."

The college is to be under the direction of a Board of Governors, not to exceed twenty-one; five of these were named in the will.

He was a man of striking appearance, his head placed on symmetrically broad shoulders, full face, clean shaven, and of florid complexion.

DAVID SULZBERGER.

BARNET PHILLIPS.

Barnet Phillips, one of the founders of the American Jewish Historical Society, who achieved distinction as a scholar, soldier, and journalist, was born in Philadelphia November 7, 1827. His father, Isaac Phillips, came to America from London in 1800 and as a member of the foreign commission and exchange firm of R. & I. Phillips, became a prominent figure in the Philadelphia business world. This firm was the first representative in the United States of the house of Rothschild.

Isaac Phillips' wife was Sarah, daughter of John Moss, of Philadelphia. Mr. Moss was a prominent member of the Jewish community of Philadelphia, and took active interest in municipal affairs. He laid the corner stone of the Mickve Israel Synagogue, and was a member of the Philadelphia City Council, representing what was at that time Cedar Ward.

The business of the Philadelphia banker required his presence in Europe frequently and on one of his trips he took the family, consisting of his wife, the boy Barnet, who was then four years old, and a daughter. The parents went to

Spain, leaving the children at a boarding school in Paris, where they remained a year and a half. When the family returned to this country Barnet became a pupil at the Bolmar School in West Chester, near Philadelphia. In 1840 he made his second trip to Europe for the purpose of resuming his studies in Paris. He remained there until 1843, when he returned to Philadelphia and entered the University of Pennsylvania, from which institution he was graduated in 1846. While at college he introduced the game of cricket, and although he was a brilliant student, attaining high standing in his class, he found time to devote to athletic sports, in which he was a recognized leader. With his American degree he returned to Europe and studied at the University of Paris, making chemistry and physics specialties, and then entered the University of Giesen, Germany, graduating there in 1853.

On his return to this country from Germany, Mr. Phillips engaged in mercantile pursuits, but continued his studies, and in collaboration with Dr. S. Weir Mitchell, wrote several interesting papers on toxicology. When the Civil War broke out he was engaged to be married to Miss Josephine Myers, of Savannah, Ga., but this did not deter him from offering his services to the Confederate government. His scientific attainments were well known, and instead of placing him with the army, the officials assigned him to the commissary department, where he devoted his time to the manufacture of salt, the supply of which was short and the price high.

In 1862 he was married on the Myers plantation near Marietta, Ga., but did not retire from the Confederate service, and for the two years preceding the close of the war was a member of Gen. "Joe" Wheeler's staff.

As chemist, manufacturer, and as soldier, Barnet Phillips always remained a student, and he continued to be one after the war, when he again entered the mercantile world as a cotton and rice factor. He came to the north in 1870, became a resident of Brooklyn, and at the age of forty-three began

his literary career, for which his studies, his artistic temperament, his acquaintance with the savants of Europe, and his linguistic abilities rarely fitted him. He had known Dumas, Prosper Merimée, Jacques Jasmin, and a host of other literary lights of France; his knowledge on the subject of music was thorough and the works of art the world over were known to him.

His good work as a writer was soon recognized, and his short stories, published by Harper Bros., became popular and were eagerly read. Among the books written by Barnet Phillips were: "The Melon Schooner," "Burning the Ships," and "The Struggle." He joined the staff of the New York Times in 1872, and at the time of his death, April 8, 1905, was in charge of the book review department.

As a newspaper man Barnet Phillips was conscientious, painstaking, and reliable, and had his work brought him into touch with the news department, these characteristics would have made him successful there, as he was in the literary department.

He worked until a few hours before he passed away, and those who saw him when he appeared for the last time at his desk pointed to the sturdy, handsome old man as an example of industry and an inspiration for the younger men. He was modest, reticent, as to himself, and slow to make friendships, but those towards whom he was drawn found in him a genial companion, a sympathetic friend, and a man whose delightful company it was a high privilege to enjoy.

Mr. Phillips is survived by Mrs. Phillips, two daughters, Mrs. A. E. Winnemore and Miss Sallie Phillips, and three sons, Henry, Frank, and Barnet.

Isidor Levi.

Julius Rosenthal.

(An extract from a biographical sketch contributed to the *Chicago Legal News.*)

Julius Rosenthal was born September 17, 1828, in Liedolsheim, in the Grand Duchy of Baden, Germany. The foundation for his truly remarkable intellectuality was laid in the college (lyceum) at Rastadt, from which, after eight years of study, he graduated at the age of twenty. The next two and one-half years he devoted to the study of jurisprudence at the universities of Heidelberg and Freiburg. He came to this country in April, 1854, landing in Portland, Maine, whence he proceeded to the city of New York. He had been in this country but a few months when he accidentally met on a train Mr. R. K. Swift, then a prominent Chicago banker. Mr. Swift took a kindly interest in young Rosenthal, offered him a position in his bank, and advanced him $50 to settle up his affairs and come on to Chicago. He came and served Mr. Swift faithfully in different departments of his bank for about four years. In 1858, Mr. Rosenthal, having acquired in the loan and trust department of Mr. Swift's bank a thorough knowledge of the business of conveyancing, established an office in Chicago as a conveyancer. A year later, shortly after his naturalization, Mr. Rosenthal was appointed by Gov. W. H. Bissell as public administrator of Cook county, Illinois, a position he held continuously until 1884, and filled with great credit to himself, and satisfaction to the public.

Mr. Rosenthal was admitted to the Illinois bar in May, 1860. His first partnership was with Lorenz Brentano, the father of Judge Theodore Brentano. A year later he formed a partnership with E. W. McComas, former lieutenant-governor of Virginia, which lasted for two years, and was followed by a partnership with William A. Hopkins, which terminated in 1866. In that year he formed a partnership with A. M. Pence, then a young man of promise, but without practice, who had come here from Ohio. As was characteristic

of Mr. Rosenthal, who had already established a remunerative practice, he gave Mr. Pence, from the beginning, an equal share of the receipts, saying to him: "As I expect you to do one-half of the work, you have a right to expect one-half of the pay." The partnership of "Rosenthal & Pense" was dissolved in 1887, having continued twenty-one years. In 1871 Adolph Moses became a member of the firm, for about six months. In 1894 Mr. Rosenthal associated with himself his son Lessing, forming a partnership under the name of Julius & Lessing Rosenthal, of which firm Mr. Rosenthal remained an active member until his death.

For about forty years Mr. Rosenthal was a leader of the bar of Chicago and participated in many important cases. He was an acknowledged authority in real-estate law, in the law of wills and in probate matters. But while especially eminent in these branches, few lawyers were his equal in his universal grasp of the science of jurisprudence. His knowledge of the literature of the law was stupendous. Not only was he thoroughly conversant with Anglo-American law, but he continued until his end to take a deep interest in and keep informed of the developments in the realm of jurisprudence generally, and of the systems of law of Continental Europe. He was also a close student of the jurisprudence of the nations of ancient times. These characteristics eminently fitted him for the position of librarian of the Chicago Law Institute, which office he held from 1867 to 1877, and again continuously from 1888 to 1903. From 1878 to 1880 he served as president of the institute. As chairman of the Committee on Legal Education of the Illinois State Bar Association, he worked incessantly for the raising of the standard of admission to the bar and was chiefly instrumental in bringing about the adoption in 1897 by the Supreme Court of Illinois of the new rules governing the licensing of lawyers, lengthening the period of study, increasing the amount of preparatory work, demanding examinations in all cases and adding to the

preliminary requirements of candidates for admission. When the State Board of Law Examiners was organized under these rules, the Supreme Court appointed Mr. Rosenthal a member of that board, together with four other prominent lawyers. It was as secretary of this board for several years, that Mr. Rosenthal contributed much toward laying the foundation for its efficient work.

Mr. Rosenthal, moreover, found time to call into life and to devote his best energies to many of Chicago's philanthropic organizations. He was for a number of years a director of the Chicago Relief and Aid Society; for eighteen years an officer of the United Hebrew Relief Association; a director of the German Relief Society at the time of the Chicago fire; for many years a director in the Jewish Training School of Chicago; and until his death an active worker on the managing board of the German Old People's Home. In all these he was one of their staunchest supporters, and one of their most enlightened organizers and practical workers.

Mr. Rosenthal was one of the charter members of the Chicago Sinai Congregation, of which Dr. Emil G. Hirsch has been the rabbi since 1880.

SIGMUND ZEISLER.

ADOLPH MOSES.

Adolph Moses (Moses, Rosenthal & Kennedy), died at Asheville, N. C., on November 6, 1905, from a stroke of paralysis. His illness did not exceed ten days. His wife and sons, Joseph W. and Paul A. Moses, and daughter, Irma, were present at the time of his death.

Adoph Moses was a native of Germany, where he was born in Speyer, capital of the Palatinate, on February 27, 1837. There he received his early education, attending the public and Latin schools, preparatory to the study of law, the pro-

fession selected for him by his parents, and his only choice as well. In view of the disabilities surrounding Israelites in that country he determined to remove to the United States, arriving at New Orleans December 22, 1852. He soon after attended the Louisiana University, where he concluded his collegiate education. His legal education was conducted under the training of such distinguished lawyers as Randall Hunt, Christian Roselius, and Judge McCaleb, and other lawyers of Louisiana, who were then famous members of the American bar. In 1861 he was admitted to the bar of Louisiana.

The secession of Louisiana soon after, found him a young man who, having lived for so many years under southern influences, with many other students in like circumstances, was naturally imbued with sentiments common to all classes of people in that State, and when the Twenty-first Louisiana Regiment was raised, he was appointed one of its officers, and served as captain for nearly two years.

At the close of the war he determined to come north, and, an opportunity offering, settled in Quincy, Ill. In 1869 he decided to locate permanently in Chicago. His career since that time was one of continued success. The extent and variety of his practice can be seen by reference to the reports of the Appellate and Supreme Courts, where the briefs and arguments of his firm are of frequent occurrence.

Mr. Moses had already become so well and favorably known in 1879 as to receive the Democratic nomination for judge of the Superior Court. Thereafter, and while in Europe, he was again tendered a judicial nomination, but declined, and he was prominently mentioned for a seat on the federal bench. As a voter he was independent, as shown by the fact that he voted for General Grant in 1868, and supported the leading measures of the Republican party in 1896.

Mr. Moses was a member of the American, Chicago, and State Bar Associations, and in 1897 was president of the State

Bar Association. As a member of the Chicago Bar Association he was much interested in maintaining the dignity and honesty of the profession, and was instrumental in prosecuting irregular members of the bar before the Supreme Court. He appeared in some of the most important and interesting cases in the history of the State. He was an uncompromising foe of gas monopolies in Chicago, and fought in the courts for years the organization commonly known as the gas trust.

Mr. Moses was a member of the Iroquois and Standard Clubs and of the Chicago Historical Society, and was the originator of the John Marshall Centennial, which was, on February 4, 1901, observed throughout the United States. He never held any political office, but consented to act as one of the directors of the Chicago Public Library; he was a director for six years, and served a term as president. While a member of the library board he was instrumental in inducing Congress to vacate Dearborn Park, the present site of the new library building.

In 1890 he founded, and from that time was the president and editor of the National Corporation Reporter.

He was at one time a member of the firm of Rosenthal, Pence & Moses, composed of the late Julius Rosenthal, the late A. M. Pence, and himself. Later he was associated with Judge Philip Stein, under the firm name of Moses & Stein. Thereafter he was associated with Mr. Jacob Newman, under the firm name of Moses & Newman, which later became Moses, Newman & Pam, and at the time of his death was senior member of the firm of Moses, Rosenthal & Kennedy, consisting of himself, Moritz Rosenthal, Henry H. Kennedy, Joseph W. Moses, Julius Moses, and Hamilton Moses.

He was an active member of several benevolent and social societies, among which may be mentioned the Masons and the Independent Order of B'nai B'rith, and was the president of the first national convention of the latter organization, which was held in 1867 in the city of New York. He was also a

member of Sinai Congregation. He was interested in works of charity at various times, and has done much for the advancement of music and the arts. The Beethoven Society found him an ardent promoter and participant.

Mr. Moses was married in 1869, in the city of Chicago, to Mathilda Wolf, of Mannheim, Germany. He is survived by a widow and six children, Joseph W., Julius, Hamilton, Paul A., Mrs. J. W. Moses, of New Orleans, and Mrs. Moritz Rosenthal.

The funeral services were held at Sinai Temple, Wednesday, November 8, at 12.30. Dr. E. G. Hirsch and Dr. Joseph Stolz officiating. The interment was at Rosehill.

A. B. Seelefreed.

Simon Adler Stern.

Simon Adler Stern spent practically his entire life in the city of his birth, Philadelphia.

Born December 8, 1838, his early education was acquired in the public schools of Philadelphia. His business career was likewise confined to Philadelphia, and with the exception of a five months' trip to the far East, late in life, he rarely passed further than one hundred miles from his native place. His life was one of hard toil, and whatever his ambitions may have been to take up music as a profession, for which he showed remarkable proclivities at an early age, or to enter the fields of literature, all such plans were cut short by the more prosaic duties of life.

At the age of seventeen his school days were over. From 1855 to 1871 he was associated first with his father and then with his brother, Mr. David Stern, in the millinery business. From 1871 to 1887 he was associated with his brothers, Messrs. Edward and Harry Stern in a printing establishment, and from 1887 until two years before his death he acted as treasurer of the Finance Company of Pennsylvania. He died on May 2, 1904.

His life, so uneventful in its general outline, was yet full of the most varied activity. Music and literature were not only his recreation, but the inspiration of his entire career. Largely through his own efforts he became one of the best violinists in the city, and his influence in stimulating musical life in this city was strongly felt when a number of years ago the Philadelphia Symphony Orchestra was organized.

In literature his range of knowledge was unusually wide, covering German, French, and English. Especially attracted to the works of Heine and Auerbach he found time amidst his occupations to prepare translations of these authors, which were recognized as standard works, and to this day may be recommended as models for those desiring to undertake the difficult task of translating the thoughts of a genius from his own language to a strange one.

He was associated for a number of years with Prof. Robert Ellis Thompson in the publication of a monthly, known as the "Penn Monthly," and in the files of this periodical, which suffered from the single defect of being in advance of its days, traces of his literary skill and editorial care are to be discerned.

He was active throughout his life in charitable and educational work. From 1880 until shortly before his death he served as the secretary of the Jewish Hospital Association, and when in 1888 the Jewish Publication Society of America was organized he gave largely of his time and experience as a member of the Publication Committee in the selection of works for publication, and in the preparation for the press of such as had been submitted. Upon the organization of the American Jewish Historical Society in 1892 he was one of the first to join our ranks and continued his membership until his death. He was one of the organizers of the Penn Club, composed of the best minds in the city, and served as secretary and director until 1887. He was an honored member of the Union League, and his attachment to the city of his birth

was illustrated in the interest that he took in the Historical Society of Pennsylvania. Above all, Simon Stern was a man endowed with the talent of making friends, possessing one of these charming personalities which can not be adequately described in words; his circle of acquaintances was unusually wide, and it is safe to say that few men were so widely known and so generally beloved in the community in which he spent his life as he was. Association with him was indeed a privilege to be coveted and no one could come in contact with him without becoming conscious of the influence that his unusual personality wielded.

Of such men it can be truthfully said that even after they have vanished from our sight they continue to be potent influences in our lives. As long as those live who knew Simon Stern his memory will not fade.

M. Jastrow.

Dr. Meyer Kayserling.

A life of unusually varied activity passed away, when Meyer Kayserling died at Budapest, April 21, 1905. Rabbi, author, historian, preacher, and fighter for Jewish rights, in all these capacities Dr. Kayserling did excellent work, and reached distinction. While rabbi at Aargau, then almost the only locality in Switzerland where Jews were allowed to place their feet, he did much, by voice and pen and personal influence, to win complete emancipation for the Swiss Jews. As biographer of Moses Mendelssohn and Ludwig Philippson, he added two standard works to the rather scanty series of attempts to make the Jewish worthies of the past live again. Slighter sketches of Ephraim Kuh and Menasses ben Israel, and a whole series of short sketches, "Sterbetage" and "Gedenkblätter," display at once, his insight into character and his wide acquaintance with historic conditions.

But it is chiefly as historian that he concerns the American

Jewish Historical Society, which had the distinction of counting him among its honorary members, sharing his advantage with the Royal Academy of History of Madrid. While his interest in general Jewish history was shown by the masterly summaries of Jewish historical literature contributed to the "Jahresberichte" of the Berlin Historical Society for nearly twenty years, his own historical productions, numerous as they were, were confined to the fateful annals of the Spanish and Portuguese Jews. Trained as he had been by Leopold von Ranke, he was almost the earliest of Jewish historians to confine his attention to the relation of the State to the Jews as represented in the published and unpublished State papers of the Iberian Peninsula. He had planned out a very elaborate general history of the Jews of Spain and Portugal, of which, however, only that portion devoted to Portugal was completed in 1867. His History of the Spanish Jews remained a torso, devoted only to the Jews of Navarre, the Basque Lands, and the Balearic Islands. It is extremely to be regretted that he did not deal with the Jews of Arragon and Castille, for which he alone possessed the requisite knowledge of Spanish and training in historic method. One portion of Castillian and Arragonese Jewish history he treated with thorough scholarship, and with surprising and epoch-making results. He had early been interested in the part taken by the Jews in the Spanish and Portuguese discoveries of the fifteenth and sixteenth centuries, upon which he wrote a short essay about 1861. When the Columbian Exposition was planned for 1892, the happy thought occurred to Mr. L. Straus, the father of the first president of this Society, to ask Dr. Kayserling to investigate on the spot in Spain, the connection of Columbus with the secret Jews of Ferdinand and Isabella's court. The results obtained from his journey in Spain, were of the very widest significance. The book in which he enshrined them, "Christopher Columbus and the Participation of the Jews in the Spanish and Portuguese Discov-

eries," revealed an entirely new aspect of the work of the great navigator, and gave an unexpected claim to the Jews of the world to share in Columbus' voyages.

This is not the place to detail Dr. Kayserling's contributions to the study of literature of the Spanish and Portuguese Jews, but it was due to him that the earliest literary contributions of Jews written on American soil, were identified and contributed to the transaction of the Society. In him, the Jews of the world have lost a thorough searcher of the past, an earnest scholar, and a model investigator. It is gratifying to think that his historical library, rich in rare Spanish works relating to the Jews, has found its final home on American soil.

JOSEPH JACOBS.

INDEX.

Abarbanel, David, *pseu.*, *see* Dormido, Martinez.
Abbot, Rev. Henry, intolerance of, 43 (and note).
Abbott, Mr., 27.
Aboab, Rabbi Isaac, 97.
Abrahams, Edmund H., 187.
Adams, Prof. Herbert B., 3.
Advertisement of Jacob Philadelphia, 80-83.
Aguilar, Rabbi Moses Raphael de, 97.
American Jewish Historical Society, collections of, 5.
executive committee, 4.
executive council, 3.
foundation of, 5.
future usefulness, 5-6.
American Jewish History, foundation of, 5.
American Jewish Year-Book (5663), 3.
"American Orator," 49.
Amsterdam Chamber, West India Co., 119-122.
"Andre" (Sargent), 27.
Annals of Guiana (Rodway and Watt), 95 (note), 98 (note).
Anti-Semitic question, 33.
Archives, Dutch-Portuguese, 9-11, 12.
Arnold, Benedict, 26.
Argyn (ship), 105, 168.
Asher, G. M., quoted, 116 (note).
Attia, David, 133 (and note).
Augusta Sentinel, quoted, 67 (note).
Authors, Jewish, 8.

Bamberger, Arnold, 78.
Barnett, Dr. George E., 3.
Barlow, Joel, 26.
Barre, Sieur, 136 (note).
Baruh, David, petition of, 146 (note).
Beekman, Abraham, 157, quoted, 158, 159 (note).
Beginnings of British Guiana (Davis), 105 (note).
Berkeley, Lord, 38.
Bernard (English actor), quoted, 25.
Beschryvinge van de Volk-Plantinge Zuriname, 156 (note), 157 (note).
Beschryving van Guiana (Hartsinck), 148.
Bibaz, S. B., 8.
Biggs, Asa, amendment offered, 66 (and note).
Bissell, Gov. W. H., 198.
Brentano, Lorenz, 198.
Brentano, Judge Theodore, 198.
Brewster, Benjamin Harris, 193.
Burning the Ships (Phillips), 197.
Board of Nineteen, West India Co., 121-122.
Bock, C. W. (artist), 73.
Bodleian Library, 108.
Boesch, Dr. Hans, 74.

Brackenridge, Hon. H. M., speech of, 51, 52.
Branch, Gov., 59.
plea for the jews, 60-61.
Brazil (Neuhoff), 106 (note).
Brazil, immigration to, 97.
Brief Narrative of the Proceedings of William Penn (Quarry), 78-79.
Byam, Wm., quoted, 137 (and note), 145, 149, quoted, 150.

Cabbala, the, 75.
Caldwell, Rev. David, 40, 41 (note), quoted, 45.
Calendar of Clarendon Papers, 118 (note).
Campos, Daniel f. de Abraham de, 106 (note).
Campos, Imanuel de, 106 (note).
Carnevall, Ferdinando, *pseu.*, *see* Thurloe, John.
Carson, Mr., quoted, 61.
Carvajal, Antonio Fernandez, 119 (note).
Cayenne, colony of, 99-101, 135 (and note).
Century Magazine (1882), 32.
Charles II, grant of North Carolina, 38 (note).
of Surinam, 99 (note).
Chicago Inter-Ocean (1899), 25, 33.
Christopher Columbus and the participation of the Jews in the Spanish and Portuguese Discoveries (Kayserling), 206-207.
"Chronostichon," 80.
Cincinnati Historical and Philosophical Society, collections of, 27.
Clark, George Rodgers, 35.
Clay, Henry, 31, 32.
Clay, Mrs. Henry, 30, 31.
Clement, Nicholas, 168.
Clinton, British Gen., 191.
Cohen family, 2.
Cohen, Mendes, 2-3.
Collection of Voyages (Pinkerton), 106 (note).
Colonization Committee, 102, 123, 129-130, 170.
Committee for the three Walcheren cities, Middelburg, Flushing, and Vere, 102.
proceedings of, 162-172.
Congress of North Carolina, 39.
Conscience, liberty of, 27-28.
Cooper, Jesse, 57 (and note).
Corcos, Rev. Joseph, 140 (note).
Corte, Neeltie de, 172.
Cromwell's Jewish Intelligencers (Wolf), 119 (note).
Crynssen, Admiral, 156.

Daniel, Judge, 60 (and note).
Davis, N. Darnell, quoted, 105 (note).
de Aguilar, Rabbi Moses Raphael, 97.
de Campos, Daniel f. de Abraham, 106 (note).
de Campos, Imanuel, 106 (note).
de Corte, Neeltie, 172.
d'Endracht (ship), 104, 164, 170.
de Fijn, J. (commander in Pomeron), letter to the West India Co., 131, 132-133.
de Fonseca, Isaac, 132.
Deform Judaism and the Study of the Hebrew (Dropsie), 194.

de Fuentes, Philippe, 103-105, 117, 130-131, 132, 168.
de Hase, Mr., 170.
de la Foirey, Mons., 190.
de la Luzern, Chevalier, 190.
de la Parra, S. H., 8 (note).
de la Roche, Salomon, 158.
de Marbois, Barbie, 190.
Dembitz, Lewis N., 30.
de Mercato, David, 146 (note).
de Mesquita, Bueno, 8.
de Rendon, don Franciscos, 190.
de Sola, Clarence, 27.
de Veth, Jacob Rodriges, 133.
de Vries, Moses Isaac, 159 (note).
Diploma, oldest American medical, 75-76.
Dissenters in North Carolina, 38-39, 44 (note).
Dormido, Martinez, 109.
Dropsie, Moses Aaron, 5.
  sketch of life, 193-195.
Duer manuscripts, 27.
Duer, Col. Wm., 26.
Duke of Cumberland, *see* Frederick, Lord Henry.
Dutch New York, Jewish settlers in, 24.
Dutch-Portuguese congregation, catalogue, 12-22.
du Tertre, Jean Baptiste, 100, 146.

Early Chicago and Illinois (Mason), 29.
Eames, Wilberforce, 96 (note).
Edwards, Gov., 29.
Edwards Papers (Washburne, editor), 29.
Edwards, Weldon N., quoted, 56 (and note).
  amendment offered, 59.
Egerton MS., 118 (note), 119 (note), 160, 176.
"*Elliot's Debates*," 42.
Elzas, Dr. Barnett A., 5.
Emden, E. v., 8.
Emigrants, French, in Ohio, 26.
Essai Historique sur la Colonie de Surinam, 7, 8 (and note), 95 (and note), 98 (note), 99 (note), 135 (note), 139-140, 141, 155, 179.
Etting, Solomon, 2.
Evening Journal, 65.
Expulsion Edict of Louis XIII, 33-35.

Fijn, J. de (commander in Pomeron), letter to the West India Co., 131, 132-133.
Flushing Records, 96 (note).
Foirey, Mons. de la, 190.
Fonseca, Isaac de, 132.
Fort Ceperon, 135 (note).
Fort Kykoveral, 101.
Fort Pitt, 26.
Franks, David, 25-26.
  will of, 189.
Franks, David S., 25-27.
Franks, Jacob, father of David, 25.
Frankstown, 26.
Frederick II, 93.
Frederick the Great, 85-94.
Frederick, Lord Henry, 76.
French Code Noir, violation of, 25.
Fuentes, Philippe de, 103-105, 117, 130-131 (and note), 132, 168.

Gaston, Wm., quoted, 39 (note), 48 (and note), 49, quoted, 58.

interpretation of constitution, 53 (and note), 54 (and note).
speech of, 59, 63 (and note).
Gedenkblätter (Kayserling), 205.
"General Committee" (democratic), 191.
Georgia Gazette, 187.
German pietists, 75.
Germanic National Museum, 74.
Geschichte der Israelitin (Jost), 120 (note), 140 (note).
Geschiedenis van de Koloniën Essequebo (Netscher), 98.
Geschiedenis van Surinam (Wolbers), 7.
Gist, Maria Cecil, wife of Benjamin Gratz, 32.
Glazer, Rabbi Simon, 5.
Goliath, Cornelis, 133 (note).
Gotha, Herzog Ernst von, 91.
Gottheil, Prof. Richard, 156 (note).
Grant by Dutch West India Co. to David Nassy for a Jewish Colony at Cayenne, 120 (note), 121-122, 161, 183-186.
Grant of privileges by the Governor, Council and Assembly to the Jews in Surinam, August 17, 1665, 179-180.
Grant of privileges to the Jews (Egerton MS.), 108-110 (and note), 111-114, 116, 118 (and note), 121-122, 176, 178.
Gratz, Benjamin, 31, 32.
Gratz, Bernard, 2.
Gratz, Jacob, *see* Henry, Jacob.
Gratz, Michael, father of Rebecca, 32, 47.
Gratz, Rebecca, 31-32.
Groenewegel (or Groenewegen), Aert Adrienszoon, 125-126.
Grunwald, Dr. Max, quoted, 93, 106 (note), 188.
Guiana, immigration to, 101-103.
data relating to early Jewish colony, 95-96 (and note).
first Jewish colonists, 104.
Gunter, Clement, 128.

Hamburger Gemeindebuch, 106 (note).
Hart, Lucretia, *see* Clay, Mrs. Henry.
Hart, Nathaniel, G. S., 30-31.
Hart, Col. Thomas, father of Lucretia, 31.
Hartsinck, Jan Jacob, 142.
Hase, Mr. de, 170.
Hays, Baruch, father of John, 27.
Hays, John, settler in Illinois, 27-29, 30.
Hemstead, Jacob, *pseu. see* Thurloe, John, 118.
Hennepin, Louis, 106 (note).
Henry, Jacob, contest for seat in Legislature, 46, 47 (and note), 48-49.
speech of, 49-51, 68-71.
Heyden, Van der, 168, 170, 172, 174.
Hirsch, Dr. Emil G., 200, 203.
Historical Proeve, see Essai Historique.
Historical Sketch of Kentucky (Collin), 31.
Historical Society of Pennsylvania, 73.

History of New Jersey (Smith), 187.
Hollander, Prof. Jacob H., 3.
Hollandtze Mercurius (1664), 142.
Holmes, Mr., resolution offered, 60 (and note), 61 (note).
Hopkins, Wm. A., 198.
Hühner, Leon, 5.
Hunt, Randall, 201.
Hyde, Laurence, 99 (note).

Immigration, Jewish, to the West, 23.
Invasion, English, from Barbados, 137-138.
Iredell, James, champion of religious liberty, 41 (and note), 42 (note).
address of, 43-44 (and note).
Israel, Menasses ben, 205.

Jacocks, Mr., 60.
Jahresberichte (Kayserling), 206.
Jewish Chronicle, 187.
Jewish Beginnings in Kentucky Dembitz), 30.
Jewish Beginnings in Michigan, (Heineman), 27 (note).
Jewish Pioneers of the Ohio Valley, (Philipson), 30.
Jewish Population of Maryland (Barnett), 3.
Jewish population, study of, in Maryland, 3.
Jews, attitude of the colonies towards, 37.
as traders, 24, 33-34, 93.
massacre of, 34.
Jews in England, re-settlement of, 108-109.
Jews in the Diplomatic Correspondence of the United States (Adler), 6.
Jews of Ferdinand and Isabella's Court, 206.
Jews of Georgia, 187.
Jews of Iowa (Glazer), 5.
Jews of Philadelphia (Morais), 32.
Jews of South Carolina (Elzas), 5.
Jews of the Confederacy, 67 (note).
Jews' Savannah, 98.
Joannes, the (ship), 104.
John Marshall Centennial, 202.
Johns Hopkins University, 3.
Johnston, Gov. Samuel, revolutionary patriot, 41 (and note), quoted, 45 (and note).
Journal of Guiana (Byam), 137 (note), 148 (note), quoted, 149, 156.

Kayserling, Dr. Meyer, 5.
sketch of life, 205-207.
Kennedy, Henry H., 202.
Kerr, John, 65 (note).
Kohler, Max J., 9, 106 (note), 110, 125, 160.
Kuh, Ephraim, 205.

Lancaster, Mr., quoted, 42 (note), 45 (note).
Latorre, 129, 166.
Lead, Cardoso, 133 (and note).
Leeser, Isaac, 63, 64 (and note), 65, quoted, 66 (note), 68.
Lettre Politico-Theologico-Morale sur les Juifs (Soulage), 8.
Levy, Abraham, 170.

Levy, Benjamin, 187.
Lichtenberg, Georg Christoph, 80.
Life and Times of Henry Clay (Colton), 31.
Life of Jesus (Dropsie), 194.
Locke, John, 38 (and note).
Longland letter, 106, 107 (and note), 108, 118 (note).
London Society for the Propagation of the Gospel in Foreign Parts, 78.
Louis XIII, edict of, 33-35.
Louis XV, treatment of Jews in French territory, 34-35.
attitude on slavery, 35.
Lumbrozo, Dr. Jacob, 1-2.
Luzern, Chevalier de la, 190.

Macoo, Nathaniel, defense of religious liberty, 57 (and note), 58 (and note).
Madison, President James, 30, 190.
"Mammoth Cave" (Kentucky), 32.
Marbois, Barbie de, 190.
Maryland Jew Bill, 51.
Maryland, religious toleration in, 1-2.
Mason, Edward G., 29.
Matthäi, Conrad, Rosicrucian mystic, 75.
Maurice of Nassau, Count, 98 (and note).
McCaleb, Judge, 201.
Medina, Francisco, 104, 164.
Melon Schooner, The (Phillips), 197.
Mennasseh ben Israel's Mission to Oliver Cromwell (Wolf), 110 (note).
Mercato, David de, 146 (note).
Merchants' Map of Commerce (Roberts), 144 (note).
Mesquita, Bueno de, 8.
Messiah of the Jews, *see* Zevi, Sabbathi.
Method of Determining Jewish Population of Large Cities of the United States (Barnett), 3.
Meza, Abraham, 146 (note).
Minutes of the supreme executive council of Pennsylvania (1790), 26.
Mitchell, Dr. S. Weir, 196.
Moller, George, 80.
Monte del Cisne (ship), 101 (note).
Morais, Henry S., 5, 32.
Morao, Isaac Henriques, 132, 133 (note).
Morpurgo, J., 8.
Morthamer, Mr., 168, 170, 172, 174.
Moses, Adolph, 5.
sketch of life, 200-203.
Moses and Newman, 202.
Moses, Hamilton, 202, 203.
Moses, Irma, daughter of Adolph, 200.
Moses, Mrs. J. W., daughter of Adolph, 203.
Moses, Joseph M., 197.
Moses, Joseph W., son of Adolph, 200, 202, 203.
Moses, Julius, 202, 203.
Moses, Paul A., son of Adolph, 200.
Moses, Rosenthal and Kennedy, 202.
Moss, John, 195.
Myers, Josephine, 196.
Mystics, Rosicrucian, 75.

Nassy, David J. C., 8 (and note), 9, 98 (and note), 100, 101, 103, 114, 116 (and note), 117, 119, 160, 161.
National Corporation Reporter, 202.
Navigation Act of 1660, 149, 152, 153.
of 1651, 99.
Netscher (historian), 98 (note), 108, quoted, 115 (and note), 116, 119, 139, 140.
Netto, Moses, 128, 170.
Neuhoff (historian), 106 (note).
New Amsterdam, early Jewish immigration to, 23.
New Hampshire, religious bigotry in, 37 (and note), 65 (and note).
New Jersey Archives, 187.
Newman, Jacob, 202.
New York Historical Society, collections, 27.
New Zeeland Chamber, West India Co., 120 (and note), 121, 123.
proceedings of, 172-175.
Nones, Joseph B., 32.
North Carolina, struggle for religious liberty, 37-71.
Church of England, 38 (and note).
constitution, 39-40 (and note), 41.
constitutional convention, 65-67.
declaration of rights, 40 (note), 45.
dissenters, 38-39.
federal constitution, 42.
Noteboom (skipper), 170.
Nunes, David, 106 (note).
Nourse, Mr., 191.

Objects of the American Jewish Historical Society, v.
Occident, the, 64, 65 (and note), quoted, 67.
o'Liveria, David, 106 (note).
Original of Rebecca in Ivanhoe (Van Rensselaer), 32.

Palpa, Abraham della, 188.
Paltsits, V. H., 96 (note).
Panegyric on the life of Isaac Leeser (Dropsie), 194.
Parra, S. H. de la, 8 (note).
Parry, John, 155.
Peale, Charles W., 27.
Pence, A. M., 198, 199, 202.
Penn, Wm., 78-79.
Pennypacker, Samuel W., 75.
Perrels, J. W., 96 (note).
Perry's Historical Collections, 79.
Petaete, Moses, 133.
Peyen, Mr., *pseu.*, *see* Thurloe, John.
Philadelphia, Jacob, 73-84.
advertisement of, 80-83.
as lecturer, 76-77.
portrait of, 73-74.
preceptor, 74-75.
and Frederick the Great, 85-94.
Philippson, Ludwig, 205.
Phillips, Barnet, 5.
sketch of life, 195-197.
Phillips, Barnet, Jr., 197.
Phillips, Frank, son of Barnet, 197.
Phillips, Henry, son of Barnet, 197.
Phillips, Isaac, father of Barnet, 195.
Phillips, Sallie, wife of Barnet, 197.

Phillips, Sarah, wife of Isaac, 195.
Philipson, Dr. David, 30-31.
Pilgrims of Mass., 39 (and note).
Pinto, Paul Jacomo, 103, 104 (note), 164, 166, 172, 174.
Pintos, the, 103.
Pioneer History of Illinois (Reynolds), quoted, 28.
Pioneer settlers, Jewish, in the West, 23-32.
Pomeroon colony, attack upon, 148 (note).
Poorte, Van der, 170.
Portugiesen Gräber auf deutscher Erde (Grünwald), quoted, 93, 94, 106.
Praag, Gebrs. v., 8.
Prins Willem (ship), 104.
Prisoners, Spanish, 134 (note).
Proceedings of Board of Aldermen and Council, West en Rad, of Middelburg, 174-175.
Proceedings of the Committee governing for the three Walcheren cities, Middelburg, Flushing, and Vere, 162-172.
Proceedings of the Zeeland Chamber, West India Co., 172-174.

Quarry, Col. Robert, 78-79.

Randolph, John, 57 (note), 58 (note).
Ranke, Leopold von, 206.
Rawson, British commander, 99.
Rayner, Kenneth, 58 (and note).
"Real Citizen," a, 187.
Religious toleration in Maryland, 1-2.
Rendon, don Franciscos de, 190.
Rensselaer, Gratz Van, 32.
Report of U. S. Commission on Venezuela-British Guiana Boundary, 102 (note), 159.
Retrospections of America (Bernard), 25.
Reynolds, Gov. John, quoted, 28.
Rochambaud, 191.
Roche, Salomon de la, 158.
Rodway, James, 95 (note), quoted, 105 (note), 108.
Roman Catholics, political exclusion of, in North Carolina, 39, 41 (and note), 42 (note), 43 (and note), 46, 52-63.
Roos, Rabbi J. S., 97 (note), 155, 188.
Roselius, Christian, 201.
Rosenthal, Julius, 5, 202.
sketch of life, 198-200.
Rosenthal, Moritz, 202.
Rosenthal, Lessing, son of Julius, 199.
Rosenthal, Pence and Moses, 202.
Ruffin, Thomas, 66 (and note).
Riemsdijk, Dr., Th. H. F. van, 96 (note).

Salomon, Haym, revolutionary patriot, 190-192.
Salomon, Haym M., letters to President Madison, 190-192.
Scherphuisen, Gov. V., 188-189.
Schulpforte, records of, 77.
Scioto Co., 26-27.

Scott, Major John, quoted, 124, 125-127 (note), 128-129, 137, 146, 148 (note), 160.
Seelig, Johann Gottfried, Rosicrucian mystic, 75.
Senior, Jacob, 106 (note).
"Serepique," 106 (note).
Settlement of Jews in the U. S., celebration of, 4.
Shaftesbury, Earl of, 38.
Sheftall, Mordecai, 187.
Shelby, Anna Maria, second wife of Benjamin Gratz, 32.
Shober, Mr., 56 (note).
Smith, James A., U. S. consul at Leghorn, 96 (note).
Smith, James S., 57 (and note).
Sola, Clarence de, 27.
Sommermans, Willem, 131.
Speeches on the Jew Bill (Brackenridge), 48 (note).
Spranger, Guerin, charter to, 100, 101, 135.
"States ships," 121.
St. Clair, Gen. Arthur, 30.
Stern, David, 203.
Stern, Edward, 203.
Stern, Harry, 203.
Stern, Rabbi J. L., 3.
Stern, Simon Adler, 5.
  sketch of life, 203-205.
Stiles, Capt. Joseph, 26.
Stone, Dr. Frederick D., 73-74.
Struggle, The (Phillips), 198.
Stuyvesant, Gov. Peter, 23.
Sulzberger, Hon. Mayer, 47 (and note).
Surinaamsche Almanakken, see Surinam Calendars.
Surinam Calendars, 8.
Surinam, Jews in, 7-22, 138-145, 147-157.
  historical sources, 8-9.
  government archives, 9-12.
  grant of privileges, 108-112, 179-183.
Swaving, W. O., 96 (note).
"Sweet singer of Israel," 79.
Swift, quoted, 59.
Swift, R. K., 198.

Taylor, Judge John Louis, 48 (and note), 49.
Tertre, Jean Baptiste du, 100, 146.
Thompson, Prof. Robert Ellis, 204.
Thurloe, John, secretary of state under Cromwell, 106, 118 (note), 119 (note).
Thurloe letter, 107, 114, 120.
"Timehri," 105 (note).
Toomer, Judge, 46 (note), quoted, 61 (note).
"Tyroffschen," 73.
Tryon, Gov., quoted, 39.

University of Göttinger, 80.

Van der Poorte, 170.
Van der Hyden, 168, 170, 172, 174.
Van Rensselaer, Gratz, 32.
Van Riemsdijk, Dr. Th. H. F., 96 (note).
Veth, Jacob Rodriges de, 133.
Vigo, Pietro, 96 (note).
Vries, Moses Isaac de, 159 (note).

Watt, Thomas, 95 (note).
Weeks, Stephen Beauregard, quoted, 38 (note).
Wescott, quoted, 78.
Westdorp, Burgomaster, 174.

"Western convention," 52.
"Western exchange," the, 25.
West India Co., 132.
  Amsterdam Chamber, 119-122.
  vanilla trade, 157-159.
Wheeler, Gen. "Joe," 196.
Wheeler, John H., 46 (note), 47.
Wieland, quoted, 188.
"Wild Coast," delivery of slaves, 114-115 (and note), 117, 162, 164.
Williams, Roger, 59.
Willoughby land, 149.
Willoughby, Lord, 99 (note), 113, 137, 140-141, 143, 146 (note), 149-150.
Wilmington Journal, quoted, 64, 65.
Wilson, Gen. Louis Dicken, 61-63 (and notes).
Winnemore, Mrs. A. E., daughter of Barnet Philips, 197.
Witt, Dr. Christopher, Rosicrucian mystic, 75-76.
Wolf, Lucien, grant discovered by, 109-110 (note), 113, 114, 116, 118 (and note), 153, 160-161.
Wolf, Mathilda, wife of Adolph Moses, 203.
"Woman in the Wilderness," 75.
Worthington, Col. J. W. D., 52.

Yancy, Mr., 52-53.

Zeeland Chamber, Dutch West India Co., prospectus, 101-102, 105.
  proceedings, 172-174.
Zeeland Chamber Extracts, 117.
Zevi, Sabbathi, 105.

CONSTITUTION.

Name.

I. The name of this Society shall be the "American Jewish Historical Society."

Objects.

II. The objects shall be the collection, preservation, and publication of material having reference to the settlement and history of Jews on the American Continent.

Members.

III. Any person approved by the Executive Council may become a member by paying five dollars; and after the first year may continue a member by paying an annual fee of five dollars.

On payment of one hundred dollars, any person may become a life member exempt from fees.

Persons may be elected as honorary members and be exempt from the payment of fees; but no honorary member shall be elected except by the unanimous vote of the Executive Council.

Persons approved by the Council may be elected as corresponding members, and be exempt from the payment of fees.

Any member who shall have neglected or omitted to pay his annual dues for three successive years shall, on notice to him from the Treasurer of that fact and of this provision, *ipso facto* cease to be a member of this Society unless within one month after said notice he pays all of his dues in arrears or shall be excused therefrom by the Executive Council of the Society, which is hereby authorized on proper grounds to remit said dues.

Officers.

IV. The officers shall be a President, four Vice-Presidents, a Corresponding Secretary, a Recording Secretary, a Treasurer, a Curator, and an Executive Council, consisting of the foregoing officers and of nine other members elected by the Society, with the ex-presidents of the Society. These officers shall be elected by ballot at each regular annual meeting of the Society.

Council.

V. The Executive Council shall have charge of the general interests of the Society, including the election of members, the calling of meetings, the selection of papers to be read, and the determination of what papers shall be published.

Amendments.

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